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IN THIS ISSUE

PEOPLES OF UTAH COLLECTION, UTAH STATE HISTORICAL SOCIETY

One of the major historical events commemorated throughout the United States during the past year was the fiftieth anniversary of the landmark decision in the *Brown v. Board of Education* case. In its historic unanimous 1954 decision, the United States Supreme Court overturned the "separate but equal" doctrine that had been upheld in an earlier Supreme Court decision, *Plessy v. Ferguson*, that was rendered in 1896-the same year that Utah became a state. American civil rights leaders hailed the Brown decision as "the greatest victory since Emancipation." Although the end of segregated schools did not come immediately as the Supreme Court directed in its decision that integration should proceed, "with all deliberate speed," the decision was a hallmark of the twentieth century American civil rights movement that continued forward the following year with the Montgomery bus boycott and the emergence of Martin Luther King, Jr., as a national leader of the non-violent civil rights movement. As our first article indicates, the Brown decision appeared to have little impact on Utah as segregated schools did not exist in the state. Children of all races and national backgrounds attended public schools together and the long and bitter fight over school integration that followed in many states did not occur in Utah. Nevertheless, Utah did have its own issues relating to race and discrimination that were impacted by the emerging civil rights movement and an internal struggle that is part of the state's colorful history.

Bank scandals and investment frauds continue to be an all too common topic in Utah and the rest of the nation even though considerable legislation has been enacted to protect investors and depositors. Our second article looks

back a century to the tragic story of one Utah banker, Bernhard Herman Schettler, whose twelve-year-old private bank collapsed in late 1904 launching a bitter struggle by depositors to regain their money. The bank failure occurred during the early years of the Progressive Era and the call for increased government regulation and oversight of the banking industry was another aspect of that dynamic reform movement.

UTAH STATE HISTORICAL SOCIETY

Our third article discusses the policies, programs, and personnel of the Episcopal Church with Native Americans in Utah. Focusing on Episcopalian work among the Ute people on the Uintah Indian Reservation in eastern Utah and with the Navajo in southeastern Utah, a story of dedication, adaptation, and acceptance emerges.

Our last article examines the ambush of four California-bound horsemen on the banks of the Santa Clara River in southwestern Utah in February 1857. The night time attack took place just a few miles south of the location where seven months later members of the Fancher-Baker emigrant group lost their lives during the Mountain Meadows Massacre. Although none of the four victims died, one survivor, John Tobin, was shot in the head under the right eye with the bullet passing through his nose into his left cheekbone. What was the motivation for the shooting and what was Tobin's eventual fate? Was the attack on the Santa Clara a foreshadowing of the tragic event that occurred later in the year at Mountain Meadows, or was it simply an unrelated incident in the long and bloody history of western violence? We expect the articles in this first issue for 2005 to generate considerable discussion and debate.

OPPOSITE: An integrated Utah school class dressed up for a group picture in the school yard.
ABOVE: Helen Sturges with Navajo children and adults inside the St. Christopher's Mission schoolhouse in 1944.
ON THE COVER: Reverend Arthur W. Moulton with two Navajo girls at St. Christopher's Mission near Bluff, Utah. *UTAH STATE HISTORICAL SOCIETY*

PEOPLES OF UTAH COLLECTION, UTAH STATE HISTORICAL SOCIETY

"Blindside": Utah on the Eve of Brown v. Board of Education

By F. ROSS PETERSON

On May 17, 2004, numerous speeches and memorials reminded the entire nation of the fiftieth anniversary of the Brown v. Board of Education case, which ended legal segregated schools in the United States. Public television produced a five-part series on the continual impact of the decision. This landmark decision significantly altered the fabric of American life, not only in the South, but also throughout the nation, including Utah.

Although most Utah leaders, including Governor J. Bracken Lee, remained silent on the Supreme Court decision, they failed to understand that the Brown decision would have ramifications far beyond public education.[1] Both the state of Utah and The Church of Jesus Christ of Latter-day Saints had serious discrimination issues in the 1950s. Since the population of Utah is overwhelmingly one religion, the LDS faith, the members of the church, as citizens had accepted racial discrimination as a way of life. As a consequence of both belief and custom, Utah's citizens were blindsided by the Brown decision of the Supreme Court and its ultimate impact.

This photograph from the Utah State Historical Society Collection showing an unidentified integrated school class was probably taken in Salt Lake City during the 1920s.

In early January 1954, a famous African-American opera star, Marian Anderson, came to Utah to perform in concert. Earlier in her career, Anderson gained fame because she was

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[1] For a political biography of one of Utah's most colorful politicians, see Dennis Lythgoe, *Let 'em Holler: The Political Biography of J. Bracken Lee*. (Salt Lake City: Utah State Historical Society, 1982). Lee witnessed first hand racism and intolerance in his hometown of Price, Utah, where the Ku Klux Klan was active in the 1920s and where, in June 1925, an itinerant black miner was lynched by a frenzied mob.

denied the opportunity to perform at Constitution Hall in Washington, D.C. The Daughters of the American Revolution, who owned the facility, maintained a segregated organization. Eleanor Roosevelt, the first lady of the land, arranged for the concert to be moved to the steps of the Lincoln Memorial. Throughout her career, Anderson had confronted segregation and discrimination. Utah proved to be no different. In Salt Lake City, her sponsors found lodging in the Hotel Utah, but Anderson had to agree to use the freight elevator and receive her meals in her room.[2] Later that week in Logan, she stayed in the home of the Utah State Agricultural College (now Utah State University) music professor Walter Welti because public accommodations could not be obtained.

Marian Anderson's experience was one of many Utah examples of racial discrimination that also included other noted entertainers. Paul Robeson, Harry Belafonte, Ella Fitzgerald, and Lionel Hampton all experienced hotel and restaurant discrimination in Salt Lake City. Even Ralph Bunche, American Ambassador to the United Nations, was offered the same treatment as Anderson at the Hotel Utah — freight elevator and meals in your room — likewise Congressman Adam Clayton Powell and his wife, actress Hazel Scott.[3] Visiting ministers and church leaders usually had to stay in private homes. The Newhouse Realty Company, owner of the former four hundred-room Newhouse Hotel located on the corner of 400 South and Main Streets, denied Bishop Osmonde Walker of the African Methodist Episcopal (A.M.E.) Church admission.

In 1954, Utah's state and community statutes as well as accepting individual practices, contained numerous examples of blatant discrimination. At the very time the United States was trying to win a Cold War and influence emerging non-white nations that the American example of democracy should be followed, Anderson's experience and those of the others illustrated the reality of racism.

Also in January 1954, President David O. McKay of The Church of Jesus Christ of Latter-day Saints, whose office was only a few yards east of the Hotel Utah, decided to add South Africa to his itinerary for a lengthy trip that already included Europe and South America. While his home state and the buildings the LDS church owned, like the Hotel Utah, practiced racial discrimination, McKay had to deal with new segregation issues in the far-off nation of South Africa, which had recently incorporated apartheid as a policy to separate all races. McKay confided to his secretary that the issue he had to confront was "what to do about the present practice in South

[2] *Salt Lake Tribune*, January 10, 1954.

[3] Ronald G. Coleman, "Blacks in Utah History: An Unknown Legacy," in Helen Z. Papanikolas, ed., *The Peoples of Utah* (Salt Lake City: Utah Historical Society, 1976), 136. Willis Hansen, long-time manager of the Newhouse Hotel recalled in 1982 of Duke Ellington's attempted stay at the Newhouse Hotel. "Oh there was Duke Ellington, too. He was the first Black to stay there. That was when Blacks weren't allowed. They sneaked him in, but the management found out and asked him to leave." *Deseret News*, February 2, 1982.

Africa of not conferring the priesthood."[4] Intent on carrying out a world-wide vision for the church that included building temples in England, Switzerland, and New Zealand, McKay hoped to expand the influence of the church throughout the world.

The separate worlds in which Marian Anderson and David McKay resided and influenced changed dramatically on May 17, 1954, when the United States Supreme Court unanimously declared that segregated public schools were no longer legal. In May of 1954, only four months after the events described above, neither Anderson nor McKay anticipated the full impact of the *Brown v. Board of Education of Topeka* decision. Most Utahns, because there were no segregated schools in the state, saw the case as irrelevant, but they were wrong. The court's decision helped set in motion a chain of events that ultimately saw both the state of Utah and the LDS church alter their legal and theological positions relative to race.

Racial segregation had been legal in the United States since the *Plessy v. Ferguson* decision in a Louisiana case in 1896. The Louisiana law that was upheld by the Supreme Court restricted blacks and whites from sitting together in railroad or streetcars. Theoretically, the facilities were "separate but equal." However, the reality is that the court decision prompted a deluge of segregation laws that separated the races in every aspect of life. The Plessy decision restricted the interpretation of the Fourteenth Amendment to the U. S. Constitution. Consequently, many states, including Utah had segregation laws affecting housing, public accommodations, theaters, and restaurants. Many more states also had restrictive laws.[5]

World War II had a dramatic impact on conceptions of race and philosophies of racial superiority. The United States and its allies had defeated Nazi Germany and the Hitlerian extreme doctrines on race. Soldiers, diplomats, and journalists had witnessed the dramatic and traumatic impact of the holocaust in Europe and instances in Asia like the rape of Nanking in China. Race, ethnicity, and prejudice had led to human genocide. The irony and contradiction for the United States was that this nation fought World War II with a segregated military force. That fact was not lost on many Americans of all races who fought in the war and helped establish the peace at the war's conclusion. It is important to note that during the war, thousands of Americans relocated to where military related jobs were more plentiful. Utah felt the effects of this, to a small degree, as federal facilities supporting the war effort grew rapidly, primarily in the Ogden and Hill Air

[4] A. Hamer Reiser, interviewed by William G. Hartley, October 16, 1974, The Church of Jesus Christ of Latter-day Saints Historical Department and Archives. Hereafter cited as LDS Archives.

[5] Richard Kloger, *Simple Justice* (New York: Knopf, 1976). Salt Lake City local realtor Sheldon Brewster in 1939 presented a petition of one thousand names to the Salt Lake City Commission asking that the commission pass an ordinance restricting blacks to a particular area of Salt Lake City. The commission refused. Brewster also tried to persuade blacks to live in a certain area but again, he failed. See Thomas G. Alexander and James Allen, *Mormons and Gentiles: A History of Salt Lake City* (Boulder, Colorado: Pruett Publishing Company, 1984), 263, and Ronald G. Coleman, "Blacks in Utah History," 136-37.

SHIPLER COLLECTION/UTAH STATE HISTORICAL SOCIETY

The photograph of the entrance to the Hotel Utah with a newspaper boy was taken September 4, 1946.

Force Base area and some African-Americans found employment in Tooele County, Clearfield, and other facilities.

In 1946 President Harry Truman, under national and international pressure, appointed a Civil Rights Commission to recommend national action relative to all minority citizens. The Commission reported that the United States could not assume a position of moral leadership in the world as long as the nation condoned racial segregation. They recommended that the President take executive action and also push for legislation to address the issue. Truman responded to the commission's report by integrating the military and federal employment by Executive Order in 1948. This decision had a direct impact on African-Americans in Utah because of the defense facilities at Hill Field, Dugway, Tooele, Ogden, and Clearfield. Utah's African-American population grew by more than 50 percent between 1948 and 1960. (The U. S. Census figures of the African-American population in Utah for 1950 was 2,729 and for 1960 was 4,148.) Simultaneously, other aspects of segregated America changed because of direct action by individuals and organizations. Jackie Robinson and Branch Rickey, owner of the Brooklyn Dodgers, by integrating major league baseball in 1947, dramatically documented that times were changing. The success of Robinson opened opportunities for young African-Americans to participate in minor leagues as well and this eventually affected the Class C Pioneer League with affiliates in Salt Lake City and Ogden. The 1953 Ogden Reds, led by future Hall of Fame outfielder African-American Frank Robinson, won the

Pioneer League pennant. As early as 1953, Overton Curtis and Zeke Smith, two black football players, played for Utah State Agricultural College. Weber Junior College and the University of Utah also moved to include black athletes on their sports teams.[6]

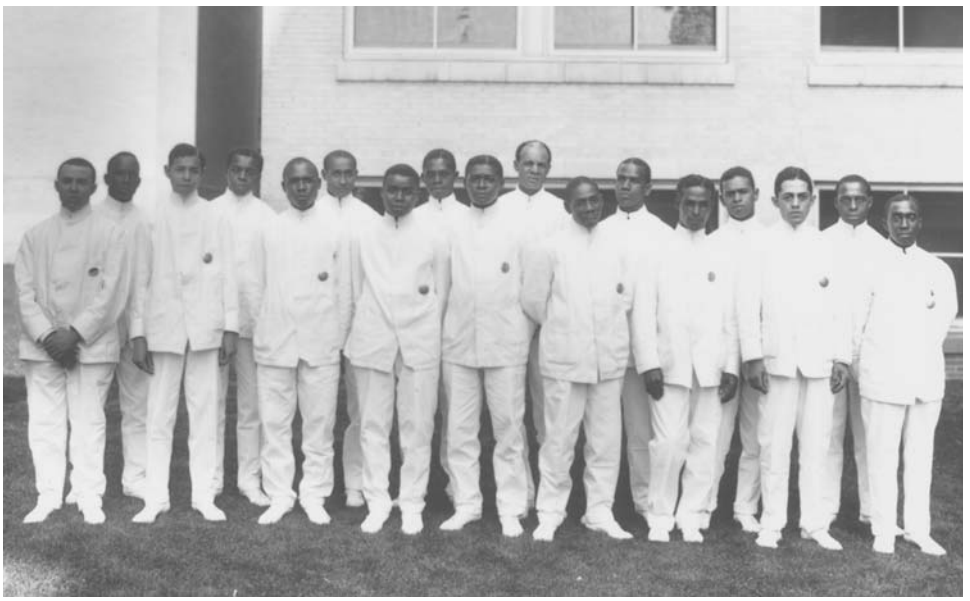
In spite of Truman's executive decisions and some direct action, officials of the National Association for the Advancement of Colored People (NAACP) chose public education as their main avenue to seek to destroy legal segregation. Thurgood Marshall, who served as legal director of the NAACP from 1940 to 1961, and his mentor Charles Houston, a Howard University law professor, decided that segregated public education easily documented the effects of discrimination on lives. (Marshall later served on the U. S. Supreme Court for twenty-four years.) Gradually, they worked to strike down racial barriers in professional schools and graduate programs. In such decisions as *Sweat v. Painter* and *McLaurin v. Oklahoma*, the Supreme Court consistently sided with the NAACP attorneys as they established precedent for documented educational discrimination. By 1950 Marshall and Houston turned their focus to public education at all levels from kindergarten through high school. Earlier, they had challenged issues of equal pay and benefits. A year later, attorneys had five plaintiffs who had been denied admission to white schools, willing to appeal negative local school board decisions all the way to the United States Supreme Court.[7] At that time twenty-one states and the District of Columbia maintained segregated schools. Utah was not one of those states. While these cases proceeded through the judicial system, other aspects of discrimination and segregation became focal points across the nation and in Utah.

An examination of Utah education law and practice in 1954 revealed that the Beehive State did not legally discriminate against minority students, but there were instances of black college graduates not hired as teachers in the schools, and one female student was denied the opportunity to student-teach in the Salt Lake City area. As of May 1954, the NAACP reported that no African-American had taught at any level in the Utah public education system, although the U. S. Bureau of Indian Affairs hired Ruby Price to teach at the Intermountain Indian School in Brigham City in 1950. The first African-American public school teacher was hired in October 1954 in the Ogden district.[8]

[6] It is interesting to note that Weber College, Utah State University, and the University of Utah all reached national prominence by the late 1950s and early 1960s in part because of African-American athletes. Although there was some serious resentment expressed by alumni and townspeople, the success of the teams put Utah in a positive national picture. Weber won the Junior College National Championship in 1959, USU and Utah were both ranked in the top ten in 1960. Allen Holmes, Billy McGill, Cornell Green, Tyler Wilbon and Harold Theus all from Arizona or California were recruited to the state.

[7] Richard Kluger, *Simple Justice* (New York: Knopf, 1976). See also Jack Greenberg, *Crusaders in the Courts* (New York: Basic Books, 1954).

[8] Wallace R. Bennett, "Negro in Utah," *Utah Law Review* (1953): 340-48. The first branch of the National Association for the Advancement of Colored People in Utah was organized in 1919, Ronald Coleman, "Blacks in Utah History," 139. For the hiring of Ruby Price, see *Salt Lake Tribune*, March 27,



SHIPLER COLLECTION, UTAH STATE HISTORICAL SOCIETY

African American waiters at Hotel Utah, July 1913.

Discrimination was rampant in the hotel and restaurant industry in Utah. A Utah Senate Committee was established to investigate discrimination against minorities. The committee, which was called the "Selvin Committee" named for its chair Sol J. Selvin, distributed questionnaires to employers, trade union officials, government officials, and employees. One of the committee's conclusions reported in January 1947 was "there is a substantial body of unfair and discriminatory practices in the state's industry, which operates to deny minority groups among our citizens equal rights to gainful employment." The returns from the committee's questionnaires indicated that an enactment of a law would reduce some of the discriminatory policies within the state's employment sector.[9] Even though a 1948 law stated that refusal of admittance without just cause made the innkeeper guilty of a misdemeanor, de facto segregation policies persisted for another decade. Legislative attempts to revise the law and pass stronger civil rights legislation failed earlier in 1945 and 1947, and later in 1949 and 1953.[10] Local real estate attempts to create segregated neighborhoods in both Ogden and Salt Lake City failed, although the proposals did end up in the courts. A 1954 report indicated that restrictive covenants and

1994. Price was later named Utah Mother of the Year in 1977 and in 1989 was chairwoman of the Davis County Republican Party.

[9] "Report of Senate Committee to Investigate Discrimination Against Minorities in Utah," *Utah Senate Journal* (1947), 67.

[10] Bennett, "Negro in Utah," 348, fn., 15 & 17. See also *Journal of the Senate of the State of Utah, Twenty-sixth Session of the Legislature of the State of Utah, 1945*, various pages; *Journal of the Senate, Twenty-seventh Session of the Legislature of the State of Utah, 1947*, various pages; *Journal of the Senate, Twenty-eighth Session of the Legislature of the State of Utah, 1949*, various pages; *Journal of the Senate, Thirtieth Session of the Legislature of the State of Utah*, 1953, various pages.

attempted property prohibitions proved ineffective in Utah. There were two significant cases in the court system in 1954 that involved ramifications of the concept of equal protection under the Fourteenth Amendment. Both the *Gaddis Investment Company v. Morrison* and *Tucker v. Washington Terrace* cases dealt with developer and homeowner attempts to restrict housing projects to those "of the Caucasian race."[11] Twenty-two residents living in G Court, Army Way, filed the Washington Terrace housing case. Samuel H. King, spokesperson for the group, stated that the Washington Terrace Non-Profit Housing Corporation was "resorting to racial discrimination," and was attempting to move African-American families from a present "favorable" location to another less desirable location within the Washington Terrace community.[12]

While numerous housing restrictions existed, more blatant discrimination occurred in the private sector beyond hotels and restaurants. Almost all bowling alleys, movie theaters, dance halls, taverns, social clubs, and recreational facilities were segregated. Blacks had their own Masonic Order, Eagles, Elks, and Odd Fellows lodges and certainly their own religious congregations. There were a few public complaints aired about blatant discrimination. In a letter to the editor of the *Salt Lake Tribune*, July 7, 1955, Marion L. Mills, a Black military veteran and student who later worked for the U. S. Post Office wrote: "Yes, a Negro problem does exist in Salt Lake City. Negroes are required to occupy balcony seats in many local theaters. Negroes are not served in many cafes or other eating establishments. Many types of employment are closed to Negroes. Most night clubs, bars, etc., do not admit Negroes as customers." Indeed, much of basic life in Utah was segregated and exclusive. However, in 1954 Utah education as well as labor unions did not practice racial separation. On the other hand, almost all of Utah's recreational facilities were segregated until Robert Freed and his family purchased Lagoon and later, Rainbow Gardens, which was located on Main Street between Fourth and Fifth South streets in Salt Lake City. They opened these previously segregated amusement and entertainment facilities to all races around 1950. Freed believed in open access, private and public. He wanted to attract entertainers and their fans to both areas and believed in that policy.[13] Freed once said, "One of my most satisfying experiences was when Lagoon opened its doors to people of all races."[14]

In the area of work, Utah labor unions had abandoned segregation and the National Congress of Industrial Organizations had tendered a friend of the court brief in the Brown case. Although union numbers were small in Utah, the railroad brotherhoods offered an affirmative recruitment of

[11] *Gaddis Investment Company v. Morrison*, 3 Utah 2d Reports (December 21, 1954).

[12] *Ogden Standard-Examiner*, October 16, 1952. Federal judge Willis W. Ritter dismissed the case when he determined that there had been no violation of the plaintiffs constitutional rights.

[13] Robert Freed, Lagoon Photograph Collection, USU Special Collections and Archives.

[14] Quoted in Jo Ann Freed Chavré, *The Bob Book: A Collective Memory of Robert E. Freed* (n. p., 1999), 89. Freed also served on the Utah Sate Advisory Committee to the United States Commission on Civil Rights.

workers. Many small black owned businesses, especially in Ogden, offered additional employment opportunities, but the largest minority employer in 1954 was the federal government. According to the NAACP, in 1954 there was only one African-American lawyer and one African-American physician practicing in the entire state. There were three nurses in Salt Lake City hospitals. All hospitals admitted openly and fairly, but restricted black patients to private rooms. Salt Lake City area hospitals maintained segregated blood in their blood banks even though all medical knowledge denied racial distinction among blood types.

While the NAACP and other organizations chipped away at public segregation practices, individual beliefs and concerns could not be altered by law. An example of this reality was Utah's anti-miscegenation law passed in 1953 which held that any marriage between Caucasian and minority citizens was null and void. The statute even went so far as to enumerate that mulattos, quadroons, or octoroons, were considered black. One of the nation's most prohibitive laws, it fueled the fire of prejudice. It is no wonder that W. Miller Barbour, a field director for the National Urban League, published a report in the November 1954 *Frontier* magazine stating, "In large areas of Utah, Nevada, and northern Arizona, and in most of the smaller towns, the discrimination is almost as severe as in the south." And regarding trailer parks, "We encountered complete rejection in Utah."[15] The same month, in a "Symposium on the Negro in Utah" held at Weber College in Ogden, Harmon O. Cole, who described himself as "a person of Negroid ancestry," confirmed Barbour's report:

> We are not free to eat or to sleep where we want, nor, in a theater, can we sit where we choose; we are even, in some instances, refused the common courtesy of going openly to a hotel to see a Caucasian friend . . . A few months ago, my wife was asked to come to a hotel in Salt Lake City to call on a Caucasian friend. She was asked at the desk to take the service elevator to her friend's room, since Negroes were not allowed to use the passenger elevator.[16]

At the same symposium, attorney Wallace R. Bennett reviewed the state legislature's repeated failure to pass legislation that would outlaw racial discrimination: "In 1945, an equal rights act was introduced in the [Utah] Senate which would have expressly prohibited "discrimination on account of race in admission to any place of public accommodation." The bill died in committee, however, as it did again in 1947, 1949, and 1951. No effort was made in 1953."[17] According to Bennett, the problems facing Utah

[15] Lester E. Bush, *Compilation on the Negro in Mormonism* (n.p.,1973), 262.

[16] Harmon O. Cole, "Status of the Negro in Utah," Symposium on the Negro in Utah, Utah Academy of Sciences, Arts, and Letters, copy in Special Collections, Utah State University Library.

[17] Wallace R. Bennett, "The Legal Status of the Negro in Utah," Symposium on the Negro in Utah, Utah Academy of Sciences, Arts, and Letters, copy in Special Collections, Utah State University Library. This Wallace Bennett should not be confused with Senator Wallace F. Bennett who was the Republican Senator from Utah from 1951-1975. Wallace R. Bennett was a practicing Salt Lake City attorney and later taught law at the University of Utah. In 1965 he was a member of the Utah State Advisory Committee to the United States Commission on Civil Rights.

African-Americans did not generate much interest in Utah because the population was small and there were no segregated schools. He did conclude that Utah should be concerned because there was so much blatant discrimination in housing, lodging, restaurants, marriage law, and religion. He also said that the issue needed to be discussed and progress demonstrated because of the national press and its focus on Utah and LDS church issues.

Utah's history often cannot separate itself from Mormon history. The legislature, most elected officials, judges, lawyers, builders, and property owners are members of the LDS church. True or not, the perception is often that Utah law reflects church wishes. As a result, in order to understand Utah's 1954 mood, it is essential to examine internal decisions and discussions within the LDS church. President David O. McKay and The Church of Jesus Christ of Latter-day Saints had to face the reality of a changing world. As noted earlier, McKay intended to alter the direction of the church by building strong membership in foreign lands and discouraging the concept of "gathering" to North America. Issues of race preceded his 1954 trip to South Africa. If Utah's civil rights record could be traced in part to LDS church policy, then the religious organization had serious problems as it contemplated expanding its influence. Although these issues have a lengthy history, some of the twentieth century events prior to the 1954 court ruling deserve special highlighting.

David O. McKay had served as an Apostle since 1907 and as an educator, dealt with generations of young questioning students. He had personally confronted the issue of priesthood denial to blacks while in Hawaii in the 1920s and obviously felt a bit uncomfortable. According to his journals, McKay recalled his experience in Hawaii:

> I first met this problem in Hawaii in 1921. A worthy [Black] man had married a Polynesian woman. She was faithful in the Church. They had a large family everyone of whom was active and worthy. My sympathies were so aroused that I wrote home to President Grant asking if he would please make an exception so we could ordain that man to the Priesthood. He wrote back saying 'David, I am as sympathetic as you are, but until the Lord gives us a revelation regarding that matter, we shall have to maintain the policy of the Church.'[18]

One of McKay's real problems was that LDS leadership is based on seniority and age. He and his colleagues were products of their time. Many church members were oblivious to a formal policy on race.

J. Reuben Clark, McKay's Second Counselor, had a highly distinguished legal government and diplomatic career before being named to the First Presidency in 1933. Brilliant and dominating, Clark basically ran the church during the last few years of Heber J. Grant's administration and that of George Albert Smith, both of whom suffered from ill health. Clark

[18] "Minutes of a Special Meeting by President David O. McKay, 17th January 1954," in David O. McKay Diaries, January 19, 1954, Special Collections, Marriott Library, University of Utah. The author is indebted to Gregory Prince whose forthcoming biography of David O. McKay includes an entire chapter on Civil Rights, which Prince shared with this author.

UTAH STATE HISTORICAL SOCIETY

African American waiters in the Hotel Utah Sunroom, c. 1940.

authorized Salt Lake City church leaders to join organizations "whose purpose is to restrict and control Negro settlement." A year later, he discussed with President Smith a proposal to use chapels for LDS meetings "to prevent Negroes from becoming neighbors."[19] Henry D. Moyle, who became McKay's counselor, was on record as trying to persuade the Department of Defense to halt plans to deploy troops to Tooele because "there will be two or three hundred Negro families in this contingent."[20] Others such as Joseph Fielding Smith and Harold B. Lee had both written and spoken in defense of segregation. Ezra Taft Benson, an apostle who served as Dwight D. Eisenhower's Secretary of Agriculture, remained publicly silent on civil rights, but privately saw the entire movement as communist inspired. Finally, another apostle, Mark E. Petersen, told church education employees that, "I think the Lord segregated the Negro and who is man to change that segregation?"[21] In this type of atmosphere, President McKay faced a very difficult task.

McKay inherited a specific problem that ultimately made the entire nation aware of Utah and LDS attitudes on race. The policy remained an obscure issue for another two decades, until the First Presidency instructed Heber Meeks, President of the Southern States Mission, to investigate the

[19] D. Michael Quinn, *Elder Statesman: A Biography of J. Reuben Clark* (Salt Lake City: Signature Books, 2002), 344, 339-59.

[20] McKay Diaries, June 22, 1961.

[21] Mark E. Petersen, "Race Problems - As they Affect the Church," August 27, 1954, in Lester E. Bush, *Compilation on the Negro in Mormonism*, 260-61.

possibility of proselytizing in Cuba. Meeks sought the advice of his friend Lowry Nelson, a native of Ferron, Utah who had taught at both Brigham Young University and Utah State Agricultural College, written an important study entitled *Mormon Village*, and who was considered the father of the field of rural sociology. Nelson had spent a year studying rural life in Cuba right after World War II. Meeks wrote: "I would appreciate your opinion as to the advisability of doing missionary work particularly in the rural sections of Cuba, knowing, of course, our concept of the Negro and his position as [to] the Priesthood."[22] Nelson, who had left Utah during the New Deal, was stunned by the letter and quickly responded. "Your letter is the first intimation I have had that there was a fixed doctrine on this point. I had always known that certain statements had been made by authorities regarding the status of the Negro but I had never assumed that they constituted an irrevocable doctrine."[23]

Deeply troubled, Nelson wrote to George Albert Smith, church president, asking for clarification of the policy and adding that: "The many good friends of mixed blood through no fault of theirs incidentally -- which I have in the Caribbean and who know me to be a Mormon would be shocked indeed if I were to tell them my Church relegated them to an inferior status."[24]

Lowry Nelson's innocent, but penetrating interrogation, caused the First Presidency, including Second Counselor David O. McKay, to respond. The church leaders rationalized the policy as part of "the doctrines that our birth into this life and the advantages under which we may be born have a relationship in the life heretofore."[25] The letter stated that the policy had originated with Joseph Smith, and labeled it a "doctrine of the Church, never questioned by any of the Church leaders." Realizing the inaccuracy of calling Smith the originator, Nelson noted, "As much as I was 'stunned' at Heber Meeks' question . . . this letter from the First Presidency was shocking . . . There is no doubt in my mind that [J. Reuben Clark] drafted this letter to me."[26]

Although just a signatory to the First Presidency letter to Nelson, McKay penned his own thoughts on the subject several months later in response to a correspondent. He cited one scriptural precedent for the policy, a single verse in the LDS canon, *Book of Abraham*, that for him appeared to answer the "who" if not the "why" of the policy, but stated that the complete rationale lay in the pre-mortal existence of human spirits. Unlike his more conservative General Authority colleagues, however, he did not

[22] Heber Meeks to Lowry Nelson, June 1947, in Lowry Nelson, *In the Direction of His Dreams: Memoirs* (New York: Philosophical Library, 1985), 335.

[23] Lowry Nelson to Heber Meeks, June 26, 1947, Ibid.

[24] Lowry Nelson to George Albert Smith, June 26, 1947, Ibid.

[25] Fist Presidency (George Albert Smith, J. Reuben Clark, Jr. and David O. McKay) to Lowry Nelson, July 17, 1947, Ibid.

[26] Nelson, *In the Direction of His Dreams*, 335.

PEOPLES OF UTAH COLLECTION, UTAH STATE HISTORICAL SOCIETY

Sina and Wayne Raymond Banks, children of Isaac F. and Sina B. Bankhead Valentine Banks in front of their home on Salt Lake City's Goshen Street about 1914.

pretend to know the details, and he declined to invoke either a "less valiant" or a "curse of Cain" explanation. In further departures from these colleagues he allowed for the eventual reversal of the practice without restricting it to a post-mortal period and, most significantly, he declined to call it a "doctrine." To him there was a distinct difference between a "policy" in the church, which he saw as conditional and thus changeable, and a "doctrine," which was immutable. The distinction was lost on his colleagues, but was crucial in the final months of McKay's life.[27]

Lowry Nelson decided to let the issue drop and he returned to the University of Minnesota. In his memoirs, Nelson recalled how he thrust himself back into the discussion of Mormonism and race, "in 1952, a friend in Salt Lake City, sent me a clipping from the *Church* Section of the *Deseret News* that set me off again. The story had to do with two missionaries in South Africa who were asked by a woman church member on her deathbed to do her 'work' in the Temple when the boys returned to Salt Lake. Since she lived in that part of the world, the men had to make sure that her blood was not 'tainted' before they could proceed to gratify her dying wish."[28] As Nelson read how the woman's genealogy revealed that she

[27] Gregory Prince's forthcoming biography of David O. McKay the chapter on Civil Rights.
[28] Nelson, *In the Direction of His Dreams*, 340.

was born in Holland and so her request could be granted. The *Church News* showed a photograph of the former missionaries and their wives rejoicing and Nelson decided to act. He wrote an article entitled "Mormons and the Negro" and sent it to the *Nation* magazine. For the first time, the church's official policy on the priesthood appeared in national print "for the world to see."[29] The African-American press spread the story widely and Nelson was chastised by many of his liberal Mormon friends. He wrote that, "I figured there would never be any change in the Negro policy until the facts were widely known and pressure could be brought to bear from without as well as from within."[30]

Consequently, when President McKay embarked on his 1954 tour of three continents, Europe, Africa and South America, there was no ambiguity in his mind as to the purpose for the second leg of his tour. On the long flight from England to South Africa he discussed the matter with his traveling secretary. "He said he had that problem to consider, what to do about the present practice in South Africa of not conferring the priesthood."[31]

Shortly after arriving in South Africa, McKay addressed a special meeting that included the mission president, LeRoy H. Duncan and the missionaries. In his remarks he said that, "To observe conditions as they are was one of the reasons that I wished to take this trip," and then he immediately addressed the issue of priesthood. "For several years the Coloured question in South Africa has been called to the attention of the First Presidency. We have manuscripts, page after page, written on it." He then spoke of the genesis of the church policy, but in more tentative terms than his predecessors. "Now I think there is an explanation for this racial discrimination, dating back to the pre-existent state." He spoke tentatively about the permanence of the policy, saying that it would be followed "until the Lord gives us another revelation changing this practice." With significance none of his audience could have appreciated, three times during his address he used the word "policy" or "practice" but never the word "doctrine."[32] Although he chose to not change the ban, he made a remarkable decision.

> I am impressed that there are worthy men in the South African Mission who are being deprived of the Priesthood simply because they are unable to trace their genealogy out of this country. I am impressed that an injustice is being done to them. Why should every man be required to prove his lineage is free from Negro strain especially when there is no evidence of his having Negro blood in his veins? I should rather, much rather, make a mistake in one case and if it be found out afterwards suspend his activity in the Priesthood than to deprive 10 worthy men of the Priesthood . . . And so, if a man is worthy, is faithful in the Church and lives up to the principles of the Gospel, who has no outward evidence of a Negro strain, even though he might not be able to

[29] Lowry Nelson, "Mormons and the Negro," *The Nation*, May 18, 1952.

[30] Nelson, *In the Direction of His Dreams*, 350.

[31] A. Hamer Reiser, interviewed by William G. Hartley, October 16, 1974, LDS Archives.

[32] "Minutes of a Special Meeting by President David O. McKay, 17th January, 1954", in David O. McKay Diaries, January 19, 1954.

[33] *Ibid*.

> trace his genealogy out of the country, the President of the Mission is hereby authorized to confer upon him the Priesthood.[33]

SHIPLER COLLECTION, UTAH STATE HISTORICAL SOCIETY

Prince Albert and his Quartet playing under a banner welcoming returning World War II soldiers at the La Conga Club on 61 1/2 East 200 South in Salt Lake City, November 30, 1945.

However, any degree of black lineage still meant no priesthood would be conferred. The announcement was not pre-determined, for two days later he sent a letter to his two counselors in which he first informed them of the change. Neither, however, was it impromptu, for in the letter he explained to them, "after careful observation and sincere prayer, I felt impressed to modify the present policy."[34] The effect on the mission was immediate. Shortly after returning to Salt Lake City, McKay received a report from the new mission president:

> I wish you could have been with me in Johannesburg and Durban when I met with some of the Brethren and explained that it was possible for them to receive the priesthood. Tears ran down their cheeks and they were so overcome they could hardly speak. The Brethren were very humble and they expressed their willingness to serve the Lord and magnify the Priesthood. I know that your short visit here was the greatest blessing that had come to the South African Mission."[35]

Although Utah papers or perhaps even Utah Mormons knew of his decision, the effect of the policy change extended beyond South Africa. By assuming the absence of Black lineage unless there was proof to the contrary ("innocent until proven guilty"), McKay established a precedent that he repeated many times throughout the remainder of his life, and thus opened doors that previously had been shut. In 1957, for example, a wedding in one of the LDS temples was in doubt because of an unproven rumor that the bride had had a Black grandmother. After some investigation of his own to confirm that there was no evidence to substantiate the rumor, McKay spoke to an associate who was advocating that the temple marriage proceed, and who later reported the conversation:

[34] David O. McKay to Stephen L. Richards and J. Reuben Clark, Jr., January 19, 1954, in David O. McKay Diaries of the same date.

[35] LeRoy H. Duncan to David O. McKay, February 23, 1954, David O. McKay Scrapbook #137, Special Collections, Marriott Library, University of Utah.

> President McKay said, "When problems like this come to me I say to myself, Sometime I shall meet my Father-in-Heaven and what will he say?" And I said to him modestly, "He'll forgive you if you err on the side of mercy." He smiled at that and said, "But don't you think it's too late to do something about it?" I said, "no sir." He said, "Leave it to me."[36]

As welcome as these cases were and as equally important historically as they were, they did not address the fundamental basic question of the ban on ordination. It appears, however, that McKay's South African trip caused him, perhaps for the first time as President, to explore the possibility of abolishing the ban. Upon his return he took two apparently unprecedented initiatives. The first occurred only three weeks after his return when he met privately with Sterling M. McMurrin, who later (1963) wrote a statement on Civil Rights that was read in General Conference. McMurrin was under fire from two senior Apostles for his heretical beliefs when McKay called him and asked for the meeting in order to determine, firsthand, what was occurring. McMurrin was candid in describing his beliefs, one of which was his rejection of "the common Mormon doctrine that the Negroes are under a divine curse." McKay's response caught him off-guard:

> He said, "There is not now, and there never has been a doctrine in this Church that the Negroes are under a divine curse." He insisted that there is no doctrine in the Church of any kind pertaining to the Negro. "We believe," he said, "that we have scriptural precedent for withholding the priesthood from the Negro. *It is a practice, not a doctrine, and the practice will some day be changed*. And that's all there is to it."[37]

McMurrin elected not to publicize McKay's response, and McKay did not share his feelings with even his closest associates in the First Presidency and Quorum of the Twelve Apostles, a fact that created a crisis in the closing months of McKay's life. Nonetheless, his statement to McMurrin indicated that he was approaching the subject of the priesthood ban in a manner different than any of his predecessors since Brigham Young.

The second initiative, apparently at the same time as the McMurrin episode, involved a direct frontal challenge to the policy. Leonard J. Arrington, who later became Church Historian, described it:

> A special committee of the Twelve appointed by President McKay in 1954 to study the issue concluded that there was no sound scriptural basis for the policy but that the church membership was not prepared for its reversal . . . . Personally, I knew something about the apostolic study because I heard Adam S. Bennion, who was a member of the committee, refer to the work in an informal talk he made to the Mormon Seminar in Salt Lake City on May 13, 1954. McKay, Bennion said, had pled with the Lord without result and finally concluded the time was not yet ripe.[38]

[36] Lowell Bennion, interviewed by Maureen Ursenbach Beecher, March 9, 1985, LDS Archives, Ms 200 730.

[37] Sterling M. McMurrin affidavit, March 6, 1979, italics added. Photocopy in author's possession. The meeting took place on March 14, 1954.

[38] Leonard J. Arrington, *Adventures of a Church Historian* (Urbana and Chicago: University of Illinois Press, 1998), 183.

PEOPLES OF UTAH COLLECTION, UTAH STATE HISTORICAL SOCIETY

The Esquire Club, ca. 1946, at the White City Ballroom, Ogden.

Three things are significant about Arrington's account. First, as he had told McMurrin, McKay saw the issue as changeable policy rather than immutable doctrine. Second, as he had stated in South Africa, even though it was a policy that was changeable, it would require a revelation from the Lord to change it. He did not make it clear why he felt a revelation was necessary, that is, whether it was because the policy had been instituted by the Lord in the first place, or whether changing a man-made policy that had become so firmly entrenched would require the force of revelation to convince church members that it needed to be changed. And finally, apparently for the first time, he took the matter directly to the "Source." It was not the last time that he did so, and not always did he achieve the same result. So, indeed, 1954 was a year of decision for the LDS church, the state of Utah, and the United States. However, the impact on the state and the church were a long time coming.

There were winds of potential change within the state and within the LDS church at the time of the Court decision, but no one seemed to realize that desegregated schools was only a first step toward a national civil rights movement.

The immediate educational response to the court decision was very positive. Utah educators applauded the decision. Dr. Allen Bateman, State Superintendent of Public Instruction stated: "The decision is fundamentally right. If we hope to maintain our position of leadership in the world today with the peoples of other races and nationalities, we must do everything possible to show that we are actually practicing equal treatment of all

peoples within our country."[39] Superintendents from Salt Lake, Davis, Murray, and Granite school districts basically said that they had no problem with the decision and their districts already complied. The *Salt Lake Tribune* editorialized that patient gradualism could lead to a strengthened U.S. position in the world, but also said that since the court had moved in this direction for nearly a decade, everyone should be prepared. The *Deseret News* did not editorialize on the decision and only carried AP or UP stories of the national reaction to the Brown announcement.

In reality, Utah did not change any of its laws simply because of *Brown v. Board of Education*, although the Supreme Court ruled that segregated transportation, restaurants, and hotels were illegal based on interstate commerce and the Fourteenth Amendment. The Civil Rights Acts of 1964 actually brought about changes in the marriage laws and potential enforcement of desegregation as a violation of federal law. Fourteen years later, in 1978, the LDS church finally abandoned the policy of denying the priesthood to Africans or African-Americans. The church's position had hampered the state as it attempted to stay current with the nation. Utah's schools were affected in many ways. More and more minority graduates attended college and received degrees. In Utah, fifty years after Brown, there are numerous black school administrators, teachers, and other employees. The neighborhoods in Utah are diverse and multi-cultural. The large influx of Hispanics, Pacific Islanders, and other refugees have all benefitted from the Brown decision.[40] *Brown v. Board of Education* was a major turning point in American history, and started the state, the nation, and the LDS church on a long, difficult path of fulfilling the dream of a nation of legal equality, and a church void of racial discrimination.

[39] *Salt Lake Tribune*, May 18, 1954.

[40] See F. Ross Peterson, *A History of Cache Valley* (Salt Lake City and Logan: Utah State Historical Society and Cache County Council, 1997), 342.

SHIPLER COLLECTION, UTAH STATE HISTORICAL SOCIETY

Injudicious Mormon Banker: The Life of B. H. Schettler and the Collapse of His Private Bank

By JACOB W. OLMSTEAD

Bernhard Herman Schettler strolled down the dusty streets of Salt Lake City for the first time in the autumn of 1861 after making the three and a half month journey from New York City.[1] Having made favorable impressions on George Q. Cannon, Orson Pratt, and others as a stalwart leader among the German and Swiss members of The Church of Jesus Christ of Latter-day Saints in New York City, he was brimming with the possibilities of making a difference in Utah, the *Civitas Dei* of Mormondom. Schettler was destined to make an impact; however, it was not the impact he had suspected in 1861.

Salt Lake City's Main Street looking south from the intersection of South Temple and Main Street, February 1909. Before this photo was taken, Schettler's bank was located at 22 South Main Street.

Nearly forty-five years later, in January 1905, the anti-Mormon organ *Goodwin's Weekly* described a growing public perception of Schettler, who was by then a promi-

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[1] Bernhard Herman Schettler, "History of the Life of Bernhard Herman Schettler," 51, unpublished typescript manuscript in the possession of the author, courtesy of Sandra Pitts. The author wishes to thank Dan Erickson, whose thoughtful suggestions apropos of banking, greatly enhanced the final manuscript and Vern O. Curtis whose generous grant helped see this project to fruition.

nent fixture in both the business and Mormon communities of Salt Lake City. "B. H. Schettler," the paper exclaimed, "the bankrupt banker, seems to have been born with the instincts of a swindler, . . . with a soul so sordid and frozen to human emotion that he is able to view with a sneer the sufferings and disaster he has wrought."[2] The impetus for these and statements questioning Schettler's character began in October 1904 when Schettler's twelve-year-old private bank collapsed leaving his depositors with little recourse to recover their losses. As details of the bank's insolvency came to light through the investigation of a court appointed receiver, Schettler was hotly pursued by his depositors and given no quarter by the press. And, while Schettler received moral and financial support from ranking members of the LDS church, the Mormon hierarchy took no official stance and was only drawn into the scandal as a whipping boy for Schettler's apparent misdeeds.

While the story of the rise and fall of Schettler's bank is an interesting one, its significance can be found in what it tells us about the development of banking in Utah. First, Schettler is a case study of a variation from the archetypal mercantile proprietor turned private banker, who dotted the landscape of the American West in the nineteenth century. Second, the collapse of Schettler's private bank and the investigation that followed, illustrate the extremely volatile nature of the fast and loose banking practices of the relatively unregulated and unchecked frontier banks. Third, the extreme publicity of the bank's insolvency served as grist for Utah's governor and legislators to enact stronger legislation to help bridle the actions of private bankers. This is perhaps the most important aspect of this episode because it illustrates a larger trend toward legislative reform which took place in early twentieth century Utah and signaled a significant shift toward more restricted regulation of banks in the American West.[3]

Schettler's rise to prominence in Salt Lake City began after his immigration from Neuwied, a Moravian settlement in the German state of Prussia,

[2] *Goodwin's Weekly*, Salt Lake City, January 7, 1905.

[3] Thomas G. Alexander, "The Burgeoning of Utah's Economy: 1910-18," in *A Dependent Commonwealth: Utah's Economy from Statehood to the Great Depression* ed. Dean May (Provo: Brigham Young University Press, 1974), 50; Lynne Pierson Doti and Larry Schweikart, *Banking in the American West: From the Gold Rush to Deregulation* (Norman: University of Oklahoma Press, 1991), 53. Despite the scandal the collapse of Schettler's bank created and its influence in altering Utah banking law, his life and the rise and fall of his bank, have been largely forgotten in the annals of Utah history. Several short biographical sketches have been published on Schettler's life. Orson F. Whitney, *History of Utah* 4 vols. (Salt Lake City: George Q. Cannon and Sons, 1904), 4:308-10; Andrew Jenson, *Latter-day Saint Biographical Encyclopedia: A Compilation of Biographical Sketches Prominent Men and Women in the Church of Jesus Christ of Latter-day Saints*, 4 vols. (Salt Lake City: Andrew Jenson History, 1901-1936), 4:356-57. The major studies dealing with early Utah banking interestingly fail to mention Schettler's bank in their comprehensive lists of banks in Utah and Salt Lake City. See John D. Speirs, "The History of Money and Banking in Utah," (Master's thesis, University of Utah, 1935), 107a-b; Dale R. Hawkins, "Banking in Utah," (Master's thesis, University of Utah, 1951), 247-48; Howard E. Parkinson, "The History of Banking in Utah, 1847-1896," (Master's thesis, University of Utah, 1963), 56. However, Schettler's bank is mentioned in a comprehensive list of Utah's banks in Roland Stucki, *Commercial Banking in Utah, 1847-1966* (Salt Lake City: Bureau of Economic and Business Research, College of Business, University of Utah, 1967), 27, 144.


SALT LAKE HERALD

B.H. Schettler.

to New York City in the spring of 1853. Having completed a four-year apprenticeship with a dry goods house in Neuwied a year prior to leaving for America, once in New York he sought employment with a mercantile establishment.[4] After working for various mercantile and dry goods companies until the fall of 1853, Schettler was offered a bookkeeping position with the Oriental Bank located on East Broadway and Grand Street in downtown Manhattan. Two years later, he left the Oriental Bank to begin his own dry goods operation in October 1855. Unfortunately, during the summer of 1857, Schettler's profits declined and money was scarce forcing him to sell his operation and return to hourly employment with various mercantile establishments.[5]

While in New York and after a twenty-year affiliation with the Moravians in Neuwied and in New York City, Schettler became increasingly dissatisfied with the Moravians.[6] After visiting several denominations with his half-brother Paul, who had also immigrated to America, both eventually embraced the teachings of Mormonism, much to the chagrin of their devout mother.[7] Paul was baptized in February 1860, and three months later on May 7, Apostle George Q. Cannon baptized Bernhard in the East River.[8]

Within four months of his conversion, Schettler was ordained an elder and called as president in a branch of thirty Swiss and German members in the Brooklyn neighborhood of Williamsburg—a calling for which he was

[4] Schettler, "History of the Life," 16, 25-26.

[5] Ibid., 27-31, 33, 35.

[6] For more information on the Moravian religion see, J. Taylor Hamilton and Kenneth G. Hamilton, *History of the Moravian Church: The Renewed Unitas Fratrum, 1722-1957* (Winston-Salem, North Carolina: Interprovincial Board of Christian Education Moravian Church in America, 1967). Schettler, "History of the Life," 30-31.

[7] Schettler, "History of the Life," 33-36. For more information on Paul A. Schettler see, Jacob W. Olmstead and Fred E. Woods, "'Give Me Any Situation Suitable': The Consecrated Life of the Multitalented Paul A. Schettler," *BYU Studies* 41 (2002):112-13.

[8] Schettler, "History of the Life," 33, 36-37.

well suited given his knowledge of German and French.[9] He also opened his home to LDS church officials passing through the city including Apostles Orson Pratt and Erastus Snow during the winter of 1860-61 with whom he enjoyed theological discussions.[10] Given his work among the Swiss and German saints and his hospitality toward the traveling leaders and missionaries, Schettler became a valuable LDS leader in New York. He baptized a dozen Germans during his ten months as branch president from August 1860 until his departure for Utah in June 1861. He also prepared these converts and other Swiss members for emigration to Utah.[11] At the request of Orson Pratt, he led this group from New York to Pennsylvania where Daniel T. McAllister took charge of the company until they reached Florence, Nebraska.[12]

When Schettler arrived in Florence, he purchased his own wagon, several teams, and several thousand pounds of supplies to open a dry goods store in Utah.[13] After his arrival in Salt Lake City, acquaintances, including Orson Pratt, recommended to Brigham Young that Schettler would make a good secretary. At first, Young was not interested claiming, "his clerks had to sometimes do heavy work" for which Schettler was apparently physically unsuited. However, upon Pratt's insistence Young offered Schettler a position on the condition that he turn over all his merchandise and his wagon and team to the church at wholesale price. Schettler enthusiastically accepted.[14]

Schettler kept the books for the Perpetual Emigrating Fund (PEF), a revolving fund established in 1849 to provide financial aid to emigrating Mormons for travel to Utah.[15] Monies contributed from converts abroad, as well as from members in Utah, were maintained by the PEF in leading banks in the East and in Europe. However, the PEF was also chartered to perform a number of services in addition to funding emigration, including the issuing of "drafts, remittances, transfers and other credit instruments . . . on behalf of Mormon individuals and institutions in Utah and elsewhere."

[9] Bernhard Herman Schettler, Memorandum Book 1860-1905, Manuscript, 3, Church Archives, The Church of Jesus Christ of Latter-day Saints, Salt Lake City (hereafter cited as LDS Church Archives); see also, Schettler, "History of the Life," 38-39. Chartered as a city in 1852 and later annexed by the city of Brooklyn in 1855, Williamsburg, in the mid-nineteenth century, was booming with distilleries and sugar refineries launched by German, Austrian, and Irish industrialists. See, John B. Manbeck, *The Neighborhoods of Brooklyn* (New Haven and London: Yale University Press, 1998), 207-8. While Schettler's native tongue was German, he studied French as a student in Neuwied. See Schettler, "History of the Life," 6.

[10] Schettler, "History of the Life," 38.

[11] B. H. Schettler, "Correspondence," *Millennial Star* 23 (July 6, 1861): 427. For Schettler's account of his preaching to the Germans in Williamsburg, see Schettler, "History of the Life," 38-39. And for individual accounts of each baptism see, Schettler, Memorandum, 4-18.

[12] Schettler, "History of the Life," 41-42.

[13] Ibid., 43-45.

[14] Schettler, "History of the Life," 51-52. Young's questioning of Schettler's ability to perform "heavy work" was most likely a reference to Schettler's back problems and poor posture he carried into adulthood, the result of an ill-conceived surgery performed to combat an unknown illness which plagued his youth. See, Schettler, "History of the Life," 5-6.

[15] Schettler, "History of the Life," 52; Whitney, *History of Utah*, 4:309. For a general history of the PEF see, Gustive O. Larson, "The Story of the Perpetual Emigration Fund," *The Mississippi Valley Historical Review* 18 (June 1931): 184-94.

Thus, the PEF was in a unique position to financially assist the growth and development of the territory. During Utah's early territorial period, when banking had not yet developed, local merchants and several church sponsored institutions, including the PEF, provided important financial services.[16] Indeed, Schettler was again working for an institution, which served the financial needs of his community. Moreover, his position as clerk, close to the church's central leadership, was a fortunate opportunity and was the foundation for Schettler's later sterling business reputation within Mormon circles.

In September 1872, after he had been employed as PEF clerk for eleven years, Schettler lost his job. In his autobiography, he maintained that this was the result of "misrepresentation to President Young" by "a few who desired my vacation." Shortly thereafter Schettler took a position as the interest and discount clerk with Zion's Cooperative Mercantile Institution (ZCMI) only to leave it a month later to replace his brother Paul as treasurer of Salt Lake City until July 1873, while his brother served an LDS mission to Palestine.[17] Brigham Young apparently still had confidence in him, recommending Schettler for the office of assistant cashier in the newly organized Zion's Savings Bank & Trust Company. The position of cashier was also an assignment of some prestige working closely with a board of directors that included members of the LDS church's First Presidency and the Quorum of the Twelve Apostles.[18] Moreover, it made Schettler a permanent fixture in the Salt Lake City business community.

As a faithful Mormon, Schettler also fulfilled a number of church assignments. Shortly after his appointment as clerk for the PEF, he became a member of and clerk for a regular prayer circle meeting in the Endowment House that included his fellow associates in President Young's office.[19] In December 1862, a little over a year after his arrival in Salt Lake City, he was ordained a seventy and soon became one of the seven presidents of the forty-first quorum of seventies.[20] Schettler entered into a polygamous rela-

[16] Leonard J. Arrington, "Banking Enterprises in Utah, 1847-1880," *The Business History Review* 29 (December 1955): 315; Stucki, *Banking in Utah*, 6. For information on the financial operation of the PEF and its connection with other church operated financial organizations see, L. Dwight Israelsen, "Utah's Economy and Brigham Young's Ledgers: 1853-1879," *Encyclia: The Journal of the Utah Academy of Sciences, Arts, and Letters* 62 (1985): 192-210; and Leonard J. Arrington, "The Six Pillars of Utah's Pioneer Economy," *Encyclia: The Journal of the Utah Academy of Sciences, Arts, and Letters* 54 (Part 1, 1977): 18-19. Local merchants in the American West during the mid-nineteenth century performed some duties of bankers until homegrown banks were chartered to meet the demand for credit and capital. Utah also followed this pattern. At least eight banks within the territory, Walker Brothers being the most prominent, developed from mercantile establishments. Doti and Schweikart, *Banking*, 25, 33-34.

[17] Schettler, "History of the Life," 54.

[18] Schettler, "History of the Life," 54; *The Salt Lake Herald*, January 24, 1905, and *Deseret Weekly News*, August 27, 1873. The duties of a bank cashier included a wide-variety of activities: balancing accounts, corresponding with other bank officials, and customers and offering financial advice. Doti and Schweikart, *Banking*, 49.

[19] Schettler, Memorandum, 22. For more information on Prayer Circle meetings see, D. Michael Quinn, "Latter-day Saint Prayer Circles," *BYU Studies* 19 (Fall 1978):79-105.

[20] Schettler, Memorandum, 23-24. A seventies quorum typically has seven presidents with one senior president.

This ad appeared in the 1903 Polk's Directory for Salt Lake City.

tionship, the capstone principle of nineteenth century Mormonism, in 1871 and within seven years had married a third wife.[21] Ten years later, in February 1888, Schletter pled guilty before Judge Charles S. Zane to unlawful cohabitation, and was sentenced to six months in the territorial penitentiary and given a three-hundred dollar fine. Schettler's first wife, Mary Morgan, concerned with her husband's age and "spine disease" sent a petition with a number of signatures to Washington, D. C. requesting his release. President Grover Cleveland signed the pardon on April 25, 1888.[22]

Schettler was also called as a missionary to the Netherlands in July 1877, and soon was appointed president of the Netherlands Amsterdam Mission by Apostle Joseph F. Smith, president of the European Mission.[23] Serving as president from September 1877 to June 1878, he experienced limited baptismal success. He spent much of his time strengthening individuals who had already joined the LDS church and holding regular proselyting meetings. Consequently, he and other members were often persecuted. On one occasion Schettler was threatened with a stoning if he attended a Sabbath meeting.[24]

During his absence from Zion's Savings Bank, Heber J. Grant was appointed to fill the assistant cashier position. Grant was relieved of his duties when Schettler returned in July 1878.[25] Even though Schettler was verbally assaulted while on his mission, he faced physical harm while bank cashier. In July 1883, Zion's Bank was robbed while he was alone in the bank. One of his assailants struck him in the head with an end-gate rod from a freight wagon. The nearly fatal wound left Schettler briefly incoherent. The bank robbers

[21] Schettler, Memorandum, 27, 41, 43; Schettler, "History of the Life," 53, 55.

[22] Schettler, "History of the Life," 56. Whitney, *History of Utah*, 3:650. For an overview of the Federal attack upon Mormon polygamists during the 1880s see, Richard S. Van Wagoner, *Mormon Polygamy: A History* (Salt Lake City: Signature Books, 1989), 115-32.

[23] Netherlands Amsterdam Mission-Manuscript history and historical reports, 1877, 2, LDS Church Archives.

[24] Netherlands Amsterdam Mission-Manuscript history and historical reports, 1887, 2, LDS Church Archives. Correspondence and excerpts detailing the difficulties of Schettler's work in the Netherlands were published in *Deseret Evening News* October 27, 1877, March 4, April 6, and June 6, 1878; and *The Latter-Day Saints' Millennial Star*, November 19, 1877, February 4, and March 11, 1878. While in the Netherlands, Schettler baptized one person. Schettler, Memorandum, 42.

[25] Ronald W. Walker, "Young Heber J. Grant: Entrepreneur Extraordinary," in *The Twentieth Century American West: Contributions to an Understanding,* Thomas G. Alexander and John F. Bluth, ed. (Midvale, Utah: Charles Redd Center for Western Studies, 1983), 96-97.

made off with two hundred dollars but were later apprehended. One of his attackers was located patronizing a house of ill-fame.[26]

In 1892, after Schettler's nearly twenty years of service at Zion's Savings Bank, Margaret Miller and her sister Elizabeth Livingston encouraged him to establish his own bank. The recently widowed Miller had inherited a sizable estate and was interested in investing with trusted Schettler. The sisters praised him as "successful in building up Zion's Savings bank" and promised to deposit their money with him and encourage others to patronize his bank.[27]

Schettler's decision to open his own bank was undoubtedly influenced by more than the urgings of Miller and Livingston. The economic environment of Salt Lake City and the state had changed substantially since Schettler's appointment as assistant cashier with Zion's. In 1882, during the aggressive attacks of the United States government on the LDS church and its members, the First Presidency announced the end of the "Gentile boycott" thus opening the possibilities of Mormon business transactions and ventures with non-Mormons. The response was a burst of businesses, at least superficially, outside the immediate control of the church. The First Presidency also encouraged the uniting of Mormon and non-Mormon endeavors for the greater benefit of the territorial economy through, for example, the organization of the Salt Lake Chamber of Commerce in April 1887.[28] In addition to these changes and the booming mining and manufacturing enterprises, the number of banks in Utah territory doubled between 1888 and 1890. Add the rapid growth of Salt Lake's population and the need for more financial institutions was apparent.[29] With Schettler's experience in banking, his stellar reputation, Livingston and Miller's financial backing, the optimal economic conditions for providing capital to the increasing number of mining and manufacturing ventures, his decision to open a bank seemed sound.

Leaving his position with Zion's Savings Bank in January 1892, Schettler launched his unincorporated private bank with five thousand dollars in

[26] Whitney, *History of Utah, 4:310*

[27] *Salt Lake Herald*, January 14, 1905. Crediting Schettler with "building up" Zion's bank was a reflection of his highly visible and capable position as cashier. Years later, after he left Zion's Savings Bank, the *Herald* heaped praise on Schettler for "conduct[ing] the affairs" in an honest manner. *Salt Lake Herald*, January 14, 1892. However, Schettler's work with the bank was not universally praised. Apostle Abraham H. Cannon said he "did not consider Bro. Schettler an efficient cashier." See Abraham H. Cannon Diaries, 1879-1895, February 20, 1890, 12:73, L. Tom Perry Special Collections, Harold B. Lee Library, Brigham Young University, Provo, Utah.

[28] Introduced after the railroad entered Utah, the "Gentile boycott" was an effort to severely limit Mormon trade and business with non-Mormons for the purpose of promoting Mormon self-sufficiency in Utah. Arrington, *Great Basin Kingdom*, 248-49, 384-85. See also Thomas G. Alexander and James B. Allen, *Mormons & Gentiles: A History of Salt Lake City* (Boulder: Pruett P. Publishing Company, 1984), 103-5. Schettler was more than likely a member of this new organization.

[29] Parkinson, "The History of Banking," 53-54; Thomas G. Alexander, "Cooperation, Conflict, and Compromise: Women, Men, and the Environment in Salt Lake City, 1890-1930," in *Life in Utah: Centennial Selections from BYU Studies,* James B. Allen and John W. Welch ed. (Provo, Utah: BYU Studies, 1996), 295-96.

capital under the title *B. H. Schettler banker* with offices on Main Street in Salt Lake City.[30] Shortly after he opened for business, both the *Deseret Evening News* and *The Salt Lake Herald* began running daily advertisements for the bank.[31] In addition to accepting deposits, Schettler provided a number of financial services including handling stocks and bonds, buying and selling real estate, and financial consulting.[32]

Unincorporated private banks in Utah were common. Throughout the territorial period and into the twentieth century, the vast majority of Salt Lake City banks were private establishments. In contrast to incorporated territorial and nationally chartered banks, which emerged in Utah during the 1870s and were required to comply with specific regulations, private banks were virtually unregulated.[33] In 1892, at the time Schettler's bank opened, there were thirteen private and territorially chartered banks and six nationally chartered banks competing for business in Salt Lake City.[34]

Schettler's bank had no trouble attracting clients. "His standing in the community was first-class and people began to make deposits," Schettler's wife Mary recalled.[35] The importance of Schettler's reputation cannot be overestimated. In the American West, the prospective banker's reputation

[30] In January 1905, due to the bank's later insolvency, the circumstances and motives of Schettler's resignation from Zion's bank came under public scrutiny. Commenting on this matter, the *Salt Lake Herald* for January 24, 1905, reported two speculative stories. The first theory was that Schettler's banking methods did not meet with the approval of the bank's ranking officials and was therefore dismissed. The second was that Schettler had been arranging loans between Zion's customers and other lending institutions while taking a commission, which resulted in his termination. These libelous accounts were certainly false. On January 2, 1892, President Wilford Woodruff noted Schettler's resignation letter in his journal. "Had an interview of two hours with Brother Schettler but He seemed Determined to Leave." Wilford Woodruff, *Wilford Woodruff's Journal, 1833-1898, Typescript* ed. Scott Kenney, 9 vols (Midvale, Utah: Signature Books, 1985) 9:181. See also, *Salt Lake Herald*, January 14, 1892. In section 384 the *1898 Revised Statutes of Utah* defined a private bank as "those who, without being incorporated carry on the business of banking." Schettler's bank was founded with five thousand dollars in "paid up" capital under what was perceived to be "territorial law." See, *Salt Lake Herald*, October 20, 1904. However, it is unclear to which territorial law his bank was adhering. The most significant territorial banking law was the Banking Act of 1888, which failed to regulate private banks. It was not until 1898 after Utah became a state that private banks were part of state banking legislation. See, Laws of the Territory of Utah, 1888, 92-99; Stucki, *Banking in Utah*, 77-79; and James M. Lupher, "Development of Utah Banking Legislation 1847-1963," (M.B. A. Research Report, University of Utah, 1964), 13-19. During the bank's twelve years in operation, it was located at 44, 62, and 22 Main Street. Schettler, "History of the Life," 54.

[31] The *Salt Lake Herald* ran ads on January 19, 1892, and the *Deseret Evening News* on January 26, 1892.

[32] *Salt Lake Herald*, January 14, 1892.

[33] Despite the added security and clout available to banks with national bank status, some western banks apparently stayed private, rather than obtaining a national charter, to avoid the restrictive regulations. Doti and Schweikart, *Banking*, 56, 61-62.

[34] The private and territorial charted banks, established and still operating in Salt Lake City, before the end of 1892 included Wells Fargo and Co. (1866), Zion's Bank and Trust Co. (1873), W. S. McCornick (1875), T. R. Jones (1877), Halloran, Judge Loan and Trust Co. (1887), Deseret Savings Bank (1889), Utah Commercial and Savings Bank (1889), Utah Title Insurance and Trust Co. (1889), Bank of Commerce (1890), State Bank of Utah (1890), B. H. Schettler Banker (1892), Middlesex Banking Co. (1892), Russel L. Tracy Co. (1892). Nationally chartered banks, established and still operating in Salt Lake, before the end of 1892 included Deseret National Bank (1872), Union National Bank of Salt Lake City (1885), Commercial National Bank (1889), American National Bank (1890), National Bank of the Republic (1890), Utah National Bank (1890). See, Stucki, *Banking in Utah*, 91-99, 100-102.

[35] *Salt Lake Herald*, January 14, 1905.

UTAH STATE HISTORICAL SOCIETY

Bernard and Mary Morgan Schettler lived in this home on the northeast corner of South Temple and C Streets from 1869 to 1904. Mary Schettler is shown on the right with two of her children and an unnamed lady on the left.

for stability and prosperity in the community was more valuable than capital in starting a banking operation and its future success rested largely upon it.[36] Most western bankers had built their reputations through years of reliable service as local merchants. Schettler's reputation came because of his highly visible work for Mormon financial institutions and religious activity.

Moreover, the same trust that attracted Schettler's customers to his bank was also extended to those to whom he loaned money. He "simply took their notes, which he believed to be as good as gold," his wife recalled, "and never asked for additional security." This practice of loose and insecure lending was a classic feature of the frontier bank operation where a first-name relationship was forged with depositors and borrowers. However, as the banking profession shifted from an era of no regulation and self-regulation to strict governmental regulation during the late nineteenth and early twentieth-century, more security was required. Only the one-man private banking operation, like Schettler's, still had freedom to offer loans without collateral.[37] Unfortunately, the lack of collateral made it difficult for Schettler to collect on outstanding loans.[38]

[36] Doti and Schweikart, *Banking*, 35-36.

[37] *Salt Lake Herald*, January 14, 1905, 1; Robert H. Wiebe, *The Search for Order, 1877-1920* (New York: Hill and Wang, 1967), 49; Doti and Schweikart, *Banking*, 18, 47-48.

[38] Schettler's wife later claimed that part of the bank's financial difficulties stemmed from various clients who were unwilling to repay their loans. When Schettler was threatened with legal action, she claimed they preferred bankruptcy to payment. *Salt Lake Herald*, January 14, 1905. An examination of civil cases filed in the Third District Court of the State of Utah, of which Schettler was a resident, reveals that he

SHIPLER COLLECTION, UTAH STATE HISTORICAL SOCIETY

The National Bank of the Republic located on the southwest corner of 200 South and Main in Salt Lake City, April 20, 1912.

After twelve years in business, Schettler's bank experienced a fiscal crisis, which marked the beginning of the end for his bank. Financial difficulties began soon after Margaret Miller's death in the early fall of 1904. A major investor in the bank, Miller's estate, which included nine thousand dollars that had been deposited in Schettler's bank since 1892, was willed to her sister Elizabeth Livingston who sought to close the account and withdraw the funds. Unable to pay out the nine thousand dollars, Schettler asked for time to liquidate some of the bank's other investments. In order to fulfill his obligations, he tried unsuccessfully to collect on the bank's outstanding debts. With some difficulty, Schettler produced five thousand dollars.[39] Unsatisfied, Livingston's

took his debtors to court for refusal to pay on a promissory note twice. See: *B. H. Schettler, vs. C. W. Aldrach, R. L. Britton, Wm. H. Rowe and J. E. Ray* (1897), microfilm, case 982, reel 24, District Court, Third District: Civil case files, Utah State Archives, Salt Lake City, Utah (hereafter cited as State Archives) and *B. H. Schettler, vs. C. W. Aldrach, R. L. Britton, Wm. H. Rowe, J. D. Reese and J. E. Ray* (1897), microfilm, case 983, reel 24, State Archives. In December 1904 after the bank was declared insolvent Robert A. Anderson, the designated receiver for the bank, reported that Schettler calculated the value of the bank's unsecured loans at $11,558.13. This figure was more than 60 percent of the bank's total investment in loans. However, for unknown reasons Anderson reported that these loans, if liquidated, would only realize $1500.00. See, Robert R. Anderson, "Supplementary & Explanatory Report," in *B. H. Schettler vs. State of Utah* (1905), microfilm, case 6695, reel 165, State Archives. Schettler also filed a suit over an assessment due on a stock investment in the Utah Guano Company. See, *B. H. Schettler vs. Utah Guano Company* (1900), microfilm, case 3185, reel 85, State Archives.

[39] *Salt Lake Herald,* January 14, 1905, and Schettler, "History of the Life," 54. See also, *Elizabeth Livingston, Administratrix of the Estate of Margaret Miller, Deceased, vs. B. H. Schettler*, September 27, 1904, microfilm, case 6279, reel 158, State Archives

lawyers demanded a full payment, and on September 27, 1904, Schettler was ordered by the court to meet Livingston's demands.

Meanwhile, Secretary of State James T. Hammond reviewed the bank's quarterly financial statement, which Schettler had submitted three weeks prior to the attempted withdrawal by Livingston.[40] The review found that the $ 5,000 of "paid in" capital that Schettler reported, was inadequate and fell dangerously below the $50,000 state requirement for privately owned banks in cities the size of Salt Lake City.[41] More importantly, Schettler had reported that the bank's liquid assets were more than $10,000 while its immediate liabilities were more than $110,000—leaving the bank far short of the state bank requirement for liquid reserves. A common practice of nineteenth century western bankers was to operate with insufficient capital and inadequate liquidity making a potentially explosive situtation if an unexpected bank run occurred. Many of the larger and more conservative banks in the West became concerned about the reputation of the banking industry and in the 1890s imposed self regulation, including capital requirements that distinguished their banks from their more at risk competitors.[42] Finding Schettler's bank in violation of the state law, Secretary Hammond petitioned the court that the bank be put into receivership and Judge William C. Hall acted, appointing Robert R. Anderson as receiver. Bond was set at $125,000 and was secured by Salt Lake businessmen William S. McCornick and William A. Rossiter.[43]

While Schettler seemed to agree with the temporary receivership of his bank, he claimed to be within the law. "The bank," he reportedly said, was organized "under the old territorial laws, which allowed of the rather small capitalization, and up to this date it had been allowed to continue." Claiming that there was some ambiguity in interpreting the law, Schettler believed the regulation only applied to banks established after the time of the law's enactment in 1898. He also contended that the creator of the law, Benner N. Smith, held a similar understanding. As to the bank's inadequate

[40] *Salt Lake Herald,* October 20, 1904. James T. Hammond was the first Secretary of the State in Utah, serving two five year terms. Hammond was a lawyer and merchant in Logan, and had a distinguished political career. In addition to his work as Secretary of the State, he also served as a senator in the Territorial legislature in 1884 and 1886 and was a member of the constitutional convention in 1887. Jenson, *Biographical Encyclopedia*, 1:723.

[41] See, *The Revised Statutes of Utah*, *1898*, Section 385,.

[42] See, *The Revised Statutes of Utah,1898,* Section 378; Arrington, "Banking Enterprises in Utah," 320; Doti and Schweikart, *Banking*, 47, 53-54.

[43] *Salt Lake Herald,* October 20, 1904. Failure to comply with the stipulated capital or reserve requirements for banks in Utah called for the appointment of a receiver. See, *The Revised Statutes of Utah, 1898,* Sections 377and 378.Willam S. McCornick was a prominent non-Mormon businessman who also owned one of the principal private banks in Salt Lake City. He came to Utah in 1871 and, in addition to his bank and investments in local mining operations and in railroading, McCornick was also a key figure in joining non-Mormon and Mormon business interests and was the first president of the Salt Lake Chamber of Commerce. Alexander and Allen, *Mormons & Gentiles*, 103-5. William A. Rossiter was Brigham Young's coachman for a time and was general superintendent of Young's business affairs from 1872 to 1877. He was also an agent for Young's estate after his death. Frank Esshom, *Pioneers and Prominent Men of Utah*, 2 vols. (Salt Lake City: Utah Pioneers Book Publishing Company, 1913), 2:1142.

reserves, he argued it was only a minor infraction. Pointing to the bank's last submitted quarterly report as evidence, Schettler told the *Deseret Evening News* that while his cash on hand was only a little over ten thousand dollars, the non-liquid assets of the bank were valued at much more.[44]

Secretary Hammond, who had been aware of Schettler's noncompliance with state capital requirements, was criticized for allowing the bank to operate for six years in violation of the law. One critic, State Bank Examiner Robert Anderson, insisted for some time that he be given power to examine financial conditions of private banks to protect depositors.[45] In his defense, Hammond claimed he had pressured Schettler to increase his capital, even though from an uncircumscribed point of view, the bank appeared to be within the law.[46]

The closing of Schettler's bank created a stir in the Salt Lake business community. The *Herald* reported that the bank's insolvency had awakened a suspicion of the other private banks in the city. Fortunately, they claimed the other private banks were all within the letter of the law. Nevertheless, the failure of Schettler's bank generated a stigma for the other "private" banks. The day after the *Herald*'s report, Walker Brothers Bankers, which had been incorporated as a state bank in 1903 but was erroneously listed as one of city's private banks, insisted that the *Salt Lake Herald* correct the error in an editorial the next day.[47]

The insolvency of Schettler's bank severely damaged his good reputation. Earlier his distinguished character was described by historian Orson F. Whitney as "shrewd and efficient . . . , one whose name is a synonym for punctuality and the faithful performance of duty."[48] While this reputation had helped Schettler establish a clientele for his bank, it was soon dimmed in October 1904 after the bank was declared insolvent and rumor of misdeeds had spread rampantly.[49] The reports were, for the most part, fallacious. However, they prompted some to seek out Schettler personally to obtain their deposits.

Just prior to the declaration of the bank's insolvency, Caroline Thompson had deposited money with Schettler's bank. After the announcement, she asked the county attorney's office to request court action to force the return of her money. Later, similar complaints to the county attorney resulted in Schettler's arrest. However, Thompson was advised by one of the

[44] *Deseret Evening News*, October 19, 1904.

[45] Ignoring or violating the banking regulations of state or territorial law was a frequent occurrence in the West during the last decades of the twentieth-century, with little retribution coming from officials. Doti and Schweikart, *Banking*, 18. Anderson, who as the State Bank Examiner annually examined the books of every bank in Utah, was not specifically authorized to examine the finances of private banks. See *The Revised Statues of the State of Utah 1898*, Section 2441.

[46] Apparently Schettler had agreed to sell some of the bank's assets to increase its capital; however, he had failed to do so. *Salt Lake Herald*, October 20, 1904.

[47] *Salt Lake Herald*, October 22 and 23, 1904.

[48] Whitney, *History of Utah*, 4:309.

[49] *Salt Lake Herald*, October 20, 1904.

SHIPLER COLLECTION, UTAH STATE HISTORICAL SOCIETY

The bookkeeping department of the Utah State National Bank in Salt Lake City, December 29, 1914.

attorneys to use moral persuasion on Schettler to get her money from him.[50] When approached, Schettler explained to Thompson that he was not in a position to access any of the bank's funds since they were under the control of Receiver Anderson. After she conferred with Anderson, who was sympathetic toward Thompson's plight, he suggested to Schettler as a "friend" that he should find a way to pay. Schettler, unable to distinguish the difference between Anderson's two hats of friend and receiver, borrowed the money from friends and family. Knowing the potential consequences of Schettler's actions, Anderson urged him to keep this transaction clandestine.[51]

While repayment of the deposit temporarily saved Schettler from a court battle, it opened a Pandora's box, placing him in a compromising position. Word soon got out that Schettler was returning the depositors' money and soon others, including Tillie Sutherland who had also made deposits under similar circumstances, demanded their money. Again Anderson recommended that Schettler pay. However, having tapped all of his available resources, he could not pay the entire amount. Angry that he had returned Thompson's deposits, Sutherland was only pacified after Schettler's wife Mary explained the difficult situation in which her husband had been

[50] *Salt Lake Herald*, January 21, 1905.
[51] Ibid., January 14 and16, 1905,

placed by Anderson and made arrangements to return her deposits in installments. This, once again, necessitated Schettler having to borrow money from his family, and, this time, from unspecified friends in the office of the First Presidency.[52]

Peter Hansen, another depositor, threatened to kill Schettler if his money was not returned.[53] However, Schettler was out of options and refused to pay regardless of intimidation. It was not the last time Schettler's life was threatened.

For a time in November and December 1904 while Anderson was reviewing the ledgers of the defunct bank, the Schettler debacle fell out of the public eye. In January 1905, controversy once again surrounded Schettler and his bank. On January 6, 1905, fifty Swiss and German depositors offered Schettler fifty thousand dollars for several of his properties including his large two-story Salt Lake City house and property on Brigham (South Temple) and C Streets in an attempt to guarantee a return on some of their deposits. Rejecting the offer, Schettler laconically replied he would not be "turned out in the cold." The Swiss and German depositors countered with an offer to purchase a small house and farm worth two thousand dollars for Schettler and his family. Balking at the offer, he claimed that fifty thousand dollars was not enough even though later the properties' combined value was appraised at just under $34,000.[54] The rejection of this generous offer appeared to the public that Schettler was not interested in the welfare of his depositors.

Meanwhile, Anderson continued his investigation finding that while the bank's liabilities were evaluated at more than one hundred thousand dollars, the value of the bank's total assets was less than forty thousand dollars, leaving a seventy thousand dollar difference.[55] It appeared that the figures for the bank's cash reserves and total assets reported in early October had been significantly overestimated. Anderson also claimed that the bank had been operating on insufficient funds within months of its opening.[56] Unfortunately for Schettler, both accusations smacked of fraud.

While it is unknown exactly why the bank's liabilities outweighed its assets, there were several factors which may have played a role. Banking

[52] Schettler's wife Mary claimed he borrowed money from a friend in the "President's office." She may have been referring to George F. Gibbs, a clerk of the First Presidency, who later also provided bail money for Schettler. See *Salt Lake Herald*, January 14, 1905. At the time, Joseph F. Smith, John R. Winder and Anthon H. Lund comprised the First Presidency.

[53] *Salt Lake Herald*, January 14, 1905.

[54] Ibid., January 7 and 8, 1905. Schettler, "History of the Life," 55. Receiver Anderson later evaluated Schettler's Brigham Street homestead to be valued at $30,000. The other property included in the offer may have been a half lot on the north bench of Salt Lake City within the Eighteenth Ward boundary. While Schettler estimated its worth as $6,500, Receiver Anderson claimed it to be worth only $3,550. Robert R. Anderson, "Supplementary & Explanatory Report," in *B. H. Schettler vs. State of Utah* (1905), microfilm, case 6695, reel 165, State Archives.

[55] See, Robert R. Anderson, "Supplementary & Explanatory Report," in *B. H. Schettler vs. State of Utah* (1905), microfilm, case 6695, reel 165, State Archives.

[56] *Salt Lake Herald*, January 8, 1905.

regulations required a minimum capital of five thousand dollars for private banks. Despite several unsubstantiated claims reported in the *Herald*, Schettler apparently had secured this amount by cashing stocks he owned in Zion's Savings Bank. However, instead of holding the five thousand dollars in reserve, he deposited the sum into his private account. During Anderson's investigation, Schettler acknowledged he was guilty of illegally dipping into this account.[57]

Moreover, less than a year after the bank opened, the Panic of 1893 had spread across the country. The effects of this economic disaster wreaked havoc in the West.[58] It was rumored that Schettler had invested the bank's first deposits in Salt Lake City's booming real-estate market, which toppled during the Panic.[59] While making loans for real estate speculation and mortgages were functions of many banks during the frontier period, conservative bankers later abandoned the practice because of the risk.[60] Anderson's December 1904 report showed that Schettler calculated the bank's real estate investments and loans to be worth almost $70,000, nearly 60 percent of the bank's total assets. But if liquidated, these investments Anderson concluded, would be worth only $30,000.[61]

The Anderson report spurred Schettler's two hundred depositors, led by chairman Andrew Grundfor, to insist on the sale of Schettler's homestead, but to no avail. The group held regular meetings to discuss strategies to obtain their money. One possibility was from the state of Utah because the state legislature had failed to protect its citizens by not expanding the authority of the state bank examiner to include private banks.[62]

With Anderson's report, the refusal of Schettler to sell his properties, the demands of depositors, charges that he had fleeced both old and poor of their life savings, given his position in the Mormon community and the anti-Mormon furor surrounding the Reed Smoot hearings in Congress,

[57] Ibid., January 24, 1905. Both territorial and state law restricted the ability of a bank to loan money to its bank officers. See, *Laws of the Territory of Utah, 1888*, 98; and *The Revised Statues of the State of Utah 1898*, Section 378.

[58] It is estimated that sixty-six banks went into receivership in the Pacific and Western territories and states alone. See, Ronald W. Walker, "Crisis in Zion: Heber J. Grant and the Panic of 1893," *Sunstone* 5 (January-February, 1980): 26-34. In Utah four banks closed the year following the Panic. See, Stucki, *Commercial Banking*, 25.

[59] *Salt Lake Herald*, January 15, 1905. The growth in Salt Lake City's real estate market was due, in part, to elections which the Peoples Party lost to the Liberal Party in 1890. Edward Leo Lyman, *Political Deliverance: The Mormon Quest for Utah Statehood* (Chicago and Urbana: University of Illinois Press, 1986), 118.

[60] Doti and Schweikart, *Banking*, 54, 60, 66.

[61] See, Robert R. Anderson, "Supplementary & Explanatory Report," in *B. H. Schettler vs. State of Utah* (1905), microfilm, case 6695, reel 165, State Archives. Schettler was the plaintiff in several civil suits to reclaim cash sums in his real estate investments. See: *B. H. Schettler, vs. George Criddle, Blanche Criddle, Thomas P. Page and the Riverton Commercial Co.* (1898), microfilm, case 1467, reel 37, State Archives and *B. H. Schettler, trustee for J. T. Croxall vs. David James, Lydia James, David W. James, T. R. Jones, Doing business as I. R. Jones & Company, W. H. Schluter, National Bank of the Republic, a corporation, The Utah National Bank, a corporation, and L. E. Riter, George Y. Wallace & C. W. Lyman, doing business as L. E. Riter & Co. C. P* [illegible name] (1901), microfilm, case 3453, reel 93, State Archives.

[62] *Salt Lake Herald*, January 8, February 8, 1905.

and alleged reports of suicide and death, the bank scandal gathered momentum. Depositors debated about hiring legal council and asking the county attorney's office to bring criminal charges against Schettler, hoping the charges would force Schettler to sell his homestead.[63]

On January 12, 1905, Tillie Sutherland, who earlier had made arrangements with Schettler for payment of her money, demanded a full return within twenty-four hours and threatened legal action if he failed to comply. Having received no payment, Sutherland filed a formal complaint before the county attorney claiming that Schettler had taken deposits after knowing the bank was insolvent. Schettler was served with an arrest warrant while being interviewed in his home by *Salt Lake Herald* reporters who gave an eyewitness account of the arrest. "As soon as Mrs. Schettler realized that her husband was under arrest, she became hysterical. She fell on her knees and begged of the officers to have pity and not take her husband away." The sheriffs hauled Schettler to the county jail where bail was set at ten thousand dollars, which was promptly paid by bondsmen George D. Alder and George F. Gibbs, a clerk for the First Presidency.[64]

The *Herald* reported that while waiting for the judge, Schettler "sat silent and thoughtful addressing no one and seemingly oblivious of the seriousness of his position." Earlier, *Goodwin's* attacked Schettler for his taciturn mien describing it as "show[ing] no evidence of remorse" and "metallic." Later, Mary accounted for her husband's apparent lack of feeling. "My husband is not much of a talker," she told the *Herald*, "He is unfortunate in that respect." Describing his personality as "diffident," she lamented that if it were stronger he may have been able to save the bank by demanding a return on outstanding debts.[65]

On January 17, 1905, within a week of his arrest, Schettler was finally faced with Receiver Anderson's suit over the confiscation of his personal property including his homestead and the homes of his wives.[66] While early rumors circulated that he had deeded property over to his wife Mary just after the insolvency of his bank, he had actually done so years earlier in August 1883. Similarly, he also turned over the deeds of his other two homes to Elizabeth Parry and Agatha Peters. Deeding the property to his wives was likely a response to the passage of Edmunds Act as Schettler sought to protect himself from any legal entanglements while living in polygamy. However, these transactions were not submitted to the county recorder until May 1904. Anderson knew this, but believed Schettler neglected to submit the deed exchanges to portray an image of security, leading depositors to assume the bank was backed by his ownership of these properties. Since Schettler had no other means to remedy the depositor's losses, Anderson recommended that the 1883 deed transfers be "set aside."[67]

[63] Ibid., January 5, 11, 12, 13, 15, 1905; *Goodwin's Weekly*, January 7, 1905.
[64] *Salt Lake Herald,* January 14, 1905.
[65] Ibid.; *Goodwin's Weekly*, January 7, 1905.
[66] *Salt Lake Herald*, January 18, 1905.
[67] Ibid., January 8, 1905. In the American West, bankers often constructed large and florid buildings to

UTAH STATE HISTORICAL SOCIETY

McCornick Bank employees, June 26, 1903.

In court, Schettler and his wife Mary brought evidence that the deed of the homestead had been transferred to her in 1883. Acting in favor of Schettler and his wife, the court believed the title was transferred in "good faith" while Schettler was known to be solvent. The next day Schettler and his other wife, Agatha, were also tried at the behest of Anderson. Providing evidence again that the deed had been exchanged in 1883, the court again ruled in favor of the defendants. Realizing the inefficacy of pursuing Schettler's wife, Elizabeth, the last suit was apparently dropped.[68]

Anderson also sought to acquire the properties of Schettler's sons Lester, Herman, and Cornelius since the property had been purchased with bank deposits and given to them between 1892 and 1904. Anderson believed they should be turned over to defray the bank's debts to its depositors. However, when he could not force Schettler and his wives to release any properties, the pursuit of these tracts appears to have been dropped.[69]

Schettler's legal vexation did not stop with one arrest and Anderson's ill-fated suits. The depositors were still unsatisfied, specifically with what they perceived to be Anderson's lack of zeal in protecting their interests.[70] Only

house their operations in order to promulgate the images of wealth, stability and permanency in a community. While Schettler's bank did not operate out of his homestead the ownership of this prominent property would have fulfilled a similar function. Doti and Schweikart, *Banking*, 39-41.

[68] *Salt Lake Herald*, January 18 and 19, 1905. See also, *Robert R. Anderson, vs. Mary Morgan Schettler, and Bernard H. Schettler* (1904), microfilm, case 6845, reel 167; *Robert R. Anderson vs. Agatha P. Schettler, and Bernhard H. Schettler* (1904), microfilm, case 6847, reel 167; and *Robert R. Anderson vs. Elizabeth Parry Schettler, and Bernard H. Schettler* (1904), microfilm, case 6846, reel 167,State Archives.

[69] *Salt Lake Herald*, January 15, February 5. See also, *Robert R. Anderson vs. Ernest F. Schettler and Emily Davis Schettler, his wife, and B. H. Schettler, F. Herman Schettler, Cornelius Schettler and Florence A. Schettler, his wife, and Mary Schettler wife of B. H. Schettler* (1904), microfilm, case 6863, reel 167, State Archives.

[70] *Salt Lake Herald*, January 21, 1905.

Elizabeth Livingston, who had obtained a court order prior to the bank's collapse in October 1904, had received back her deposit.[71] The other depositors continued to hold regular meetings after Schettler's arrest and at the January 17 meeting chairman Andrew Grundfor, who apparently had access to detailed data regarding Anderson's bank inquiry, announced that Schettler since he had opened his bank had paid at least five hundred dollars in tithes to the LDS church. Some depositors maintained that Schettler's tithing should be returned, though most did not expect church officials to agree. A committee was appointed to visit Presiding Bishop William B. Preston about the issue.[72] Up to this time the LDS church had been relatively detached from the collapse of the bank with the exception of complaints that Schettler continued to participate in his ward and seventies quorum meetings. Bishop Preston agreed to look into the matter.[73] In the course of meeting with Preston, the committee encountered Neils Rasmussen, a bookkeeper in the Presiding Bishopric's Office and one of Schettler's bondsmen, who asked, "Why do you persecute Brother Schettler? You people are all pitching onto him. Brother Schettler is a good man. He has met with misfortune, as many men may. Plenty of others have failed just as Schettler has."[74] Another committee met with Orson F. Whitney, Schettler's bishop.[75] Bishop Whitney maintained that church authorities would take no action while waiting for a court verdict to see if Schettler was guilty as charged.

Grundfor, during one of the bank depositors' meetings, addressed the topic of the bank having been operating for nearly twelve years in the red. This information kindled stronger, more vehement feelings toward Schettler, causing many to rant that everything he and his family owned were assets of the bank. Erroneously, Grundfor told the crowd that from 1892 to 1903 Schettler had withdrawn thirteen thousand dollars for unknown purposes. Some claimed that Schettler had buried the money and that the group should go and excavate his property. Others hoped to persuade Bishop Orson F. Whitney to call Schettler before an ecclesiastical court to force him to give up his property even though Whitney had told such advocates that it would be inappropriate to bring a church court against the bank owner while awaiting the outcome of his civil trial.

[71] Ibid., January17, 1905.

[72] It was reported by the *Salt Lake Herald* on January 18, 1905, that Schettler tithed one-hundred and fifty dollars on November 23, 1893, one-hundred and twenty-five dollars on November 3, 1894, and two-hundred and twenty-five dollars on December 26, 1895. William B. Preston served as the Presiding Bishop from 1884 to 1908. Arnold K. Garr, Donald Q. Cannon, and Richard O. Cowan ed. *Encyclopedia of Latter-day Saint History* (Salt Lake City: Deseret Book, 2000), 947. Part of the Presiding Bishop's administrative responsibility is the church-wide management of the reception and distribution of both tithes and offerings. See, John A. Widtsoe, *Priesthood and Church Government* (Salt Lake City: Deseret Book, 1939), 278-79.

[73] *Salt Lake Herald*, January 9 and 21, 1905.

[74] *Salt Lake Tribune*, February 1, 1905.

[75] Ibid., January 10 and 18, 1905. Orson F. Whitney was called as the bishop of the Salt Lake City Eighteenth Ward in 1878. After serving in that capacity for twenty-eight years, he was called as a member the Quorum of the Twelve Apostles in 1906. Garr, ed., *Encyclopedia of Latter-day Saint History*, 1341.

Some of the depositors, who had not done so, were urged to file complaints with the court in an attempt to provoke Schettler to skip town, thereby freeing his bond to cover some of their deposits. Mary Zeier followed the advice and filed a complaint with the county attorney. This resulted in Schettler's second arrest with bail set at five thousand dollars. H. G. Whitney and Neils Rasmussen, bookkeeper for the Presiding Bishopric, served as bondsmen.[76]

Sensational newspaper accounts stimulated other depositors to action with the apparent intent to harass Schettler until he could no longer make bail.[77] Caroline Thompson and Martha C. Larson also made a complaint, which caused Schettler to be arrested for a third time. Thomas A. Clawson and Robert Patrick, first councilor to Bishop Orson F. Whitney provided the five thousand dollars for the bail. Other depositors came forward with complaints. However, the county attorney declined to take further action claiming he "had no desire to act the role of persecutor," while maintaining that Schettler had produced a total of twenty thousand dollars in bail which was enough to hold him for trial.[78]

J. Golden Kimball, a member of the First Council of Seventy while preaching in Schettler's ward, took the opportunity to chastise the depositers, "When I was in the same box [as Schettler] and haunted to death, so to speak, for money, the creditors came after me like a pack of bloodhounds, and the only thing they didn't do was they didn't kill me, but I wish they had killed me." Kimball requested they have charity for "Brother Schettler" and not sit in judgment of him.[79] After seeing portions of his sermon in print, and wanting to separate himself from the debacle, Kimball requested that the *Herald* recant its report claiming he was not speaking specifically of Schettler. However, there was little doubt that he was referring to the beleagured banker.[80] The comments of Rasmussen, Preston, Kimball, and Whitney seemed to indicate that they pitied Schettler's plight, as friends and acquaintances, but also showed they were reluctant to get the church tangled in the bank's growing problems.

However, the church's entanglement in the affair continued. An article in the January 21 issue of *Goodwin's Weekly* attacked both Schettler and the church. "When appealed to to turn over what he has to the men and women he had defrauded," they editorialized, "he holds up his hands in horror and cannot bear the idea of being left destitute." *Goodwin's* censured the church for not getting involved in Schettler's business, requesting it

[76] *Salt Lake Herald*, January 19, 1905.

[77] *Salt Lake Tribune*, January 19, 1905.

[78] *Salt Lake Herald,* January 21, 1905. In 1878 Robert Patrick was called as Bishop Orson F. Whitney's first councilor in the Eighteenth Ward. Thomas A. Clawson, a grandson of Brigham Young and a trained dentist, succeeded Orson F. Whitney as bishop of the Eighteenth Ward in 1906. Jenson, *Biographical Encyclopedia*, 1:665-667; 2:100.

[79] *Salt Lake Herald*, January 25, 1905.

[80] Ibid., January 26, 1905.

either force Schettler to turn over everything to his depositors or excommunicate him.[81]

Dissatisfaction with church authorities was evident at the next depositors meeting where reports of the meetings with Preston and Whitney were given. The reports were not well received by the desperate depositors and seemed to heighten their conviction that church leaders were trying to cover up the bank scandal. One woman, enraged by the reports, claimed that church intervention was the reason no more arrest warrants had been issued. In despair she asked, "Have the high church authorities put a damper on the Prosecuting Attorney? Have they either warned or urged him not to prosecute Schettler?" Others joined in claiming that it was Schettler's large amount of tithes which gave him sway with the church and the tithing office. Peter Hansen then announced that Anderson had told him that he had been contacted by a "prominent church official" and had been told to "go slow" in the prosecution. This "official" allegedly told Anderson that, "he had been talking too much—making too many insinuations against Schettler." These comments and accusations generated no tangible action, but did produce more animosity toward Schettler and the LDS church authorities.

Depositors also found no redress in the courts. Internal squabbles divided their ranks. When the law firm of Stewart & Stewart was hired to represent about half of the depositors, its petition claiming Schettler was "Involuntary Bankrupt," brought few concrete results. [82]

The depositers were presented with a fifty-cent on the dollar settlement, which they "rejected with scorn." With all their efforts to obtain a full return of their deposits ended with failure, the depositors were apparently ready to negotiate. A compromise was finally reached between Schettler and the depositors in April.[83] Schettler agreed to use the bank's assets and his homestead as security for a loan to pay his depositors fifty-cents on the dollar. In return, his depositors agreed to give over their receipts in full, dismiss all civil suits and refrain from initiating any criminal suits against Schettler for taking deposits after he knew the bank to be insolvent. These negotiations were made without the assistance of attorneys' or the courts.[84]

A direct result of Schettler's bank failure was a growing public concern that Utah banking laws needed revision to give the state bank examiner authority to execute annual examinations of all state banks including private banks. Spurred by the public outcry and the accusations of the depositors that the state of Utah was partly responsible for the bank insolvency, John C. Cutler, the newly elected Utah governor, announced he would make recommendations for banking legislation in his January 10, 1905,

[81] *Goodwin's Weekly*, January 21, 1905.
[82] *Salt Lake Herald*, January 19 and 25, February 1 and 16, 1905, and *Salt Lake Tribune,* February 1, 1905.
[83] *Deseret News*, April 25, 1905
[84] Ibid.

message to the legislature. In his address Cutler observed that, "There had been for years a growing public sentiment in favor of examination of private as well as corporate banks, and that many of the states have already passed laws which require the examination of private banks." While not mentioning the Schettler bank by name, the governor continued, "The recent failure of a private bank, calls attention anew to the responsibility of the state in protecting those who place money in banks."[85]

UTAH STATE HISTORICAL SOCIETY

Utah Commercial and Savings Bank at 22-24 East 100 South, Salt Lake City on December 12, 1905.

The following day James A. Anderson, a representative from Morgan County, introduced a bill to amend Section 2441 of the state revised statutes which would give the state bank examiner expanded jurisdiction to include private banks. The bill was referred to the standing Committee on Banks and Banking.[86] During the committee meetings the well known arguments were made: other states had adopted similar legislation, in these states the number of bank failures dropped, and the state had an obligation to protect depositors from banks conducting business within the state.

William S. McCornick opposed the bill, claiming it was directed specifically at his private bank, the largest in the state. He expressed concerns about the privacy of his clients' records, which could be viewed by the examiner, and he further believed that bank failures could not be prevented even with the examiner's watchful eye.[87] Andrew Grundfor, having been involved with trying to secure deposits from the failed Schettler's bank,

[85] *Salt Lake Herald*, January 5, 8, 10, 11, 1905, and *House Journal of the Sixth Session of the Legislature of the Sate of Utah,* (Salt Lake City: Deseret News Company, 1905), 45. Prior to his election as governor of Utah, John C. Cutler was a prominent and successful merchant and businessman connected with many business establishments including a number of banks. Jenson, *Biographical Encyclopedia*, 3:360-62.

[86] *Salt Lake Herald*, January 12, 1905. See also *House Journal*, 57, 66, 73. James A. Anderson was a member of the standing Committee on Banks and Banking and was a prominent businessman in Morgan County and the founder of the First National Bank of Morgan. Jenson, *Biographical Encyclopedia*, 3:9-10.

[87] *Salt Lake Herald*, February 1, 1905.

SHIPLER COLLECTION, UTAH STATE HISTORICAL SOCIETY

Utah Savings and Trust Bank at 160 South Main Street, Salt Lake City, January 11, 1906.

agreed to organize a committee of bank depositors to support the bill. Their efforts were successful. After some political finagling, the bill passed in the House on February 15, 1905, with a vote of thirty-seven to four.[88]

After the controversy over his bank's failure subsided, Schettler disappeared from the Salt Lake business community and the public eye. He eventually lost his home and property to pay restitution to his depositors. His last years he apparently lived in poverty.[89] Less than three years after the bank scandal, Schettler died of asthma on October 25, 1907.[90]

Writing in his autobiography sometime prior his death, Schettler rued the day the judge demanded he pay Livingston post-haste. Simply charting this event as the beginning of the end, he spent little time committing to paper the twists of fate which brought him to financial ruin. From his writings, it is clear that he perceived himself to be a victim, concluding only that he had played, "the part of a traitor."[91]

To Schettler's depositors he had played the role of a traitor, simply because they had assumed his religious reputation combined with his business reputation equaled infallibility. While Schettler's religious standing may have been spotless, his banking practices, typical of unregulated private banks, were fraught with financial risk and were becoming taboo in the banking industry in Utah and elsewhere. Just a year prior to Schettler's bank failure, Kansas state bank commissioner Morton Albaugh delivered a prophetic speech entitled, "The Injudicious Banker and How to Control Him" at the sixteenth annual Kansas Bankers Association meeting in 1903. Albaugh reviewed the past forty years of banking in the West and the major practices which were responsible for many of the bank failures. Often the inexpedient banker recklessly lent without checking the credit of his borrowers, over lent to bank's officers, and indulged in real-estate speculation. These problems, for the most part, had been prevented through the cre-

[88] Ibid., February 1, 3, 8, 15, 1905. See also, *House Journal*, 213-14 and 286-87.

[89] Schettler, "History of Life," 55.

[90] *Deseret News*, October 26, 1907.

[91] The subtitle of Schettler's autobiography alleges it was written while he served his prison sentence in 1888. However, it contains accounts of events taking place after 1888, concluding with the bank collapse. Schettler, "History of Life," 54.

ation of bank regulations. Ultimately, "No banker [was] so utterly or so inexcusably imprudent as the one who fail[ed] on every occasion to follow the provisions of the law," Albaugh stated.[92] Without exception Schettler fit Albaugh's profile of the injudicious banker.

While Schettler exhibited many of the characteristics and practices of the merchant banker as outlined by Albaugh, the collapse of his bank also facilitated the shift from the old guard banking methods to the controlled and regulated practices emerging in the twentieth century West. The collapse of Schettler's bank illustrated an urgent need for reform in Utah's bank legislation. While laws had been enacted to regulate private banks in Utah in 1898, they gave no authority to the state bank examiner to scrutinize the books of private bankers—a review that was necessary if future bank failures and scandals were to be avoided. Utah was not alone in enacting such laws as other states passed legislation creating stricter banking regulations and implementing business reform in attempts to support the growing hierarchical needs of urban-industrial life.

[92] Morton Albaugh, "The Injudicious Banker and How to Control Him," Kansas Bankers Association Proceedings of the Sixteenth Annual Meeting, 1903. As quoted in Doti and Schweikart, *Banking*, 54-55

"To Elevate the Red Man": The Episcopal Church's Native American Policy in Utah

By FREDERICK QUINN

EPISCOPAL CHURCH PHOTOGRAPH COLLECTION, UTAH STATE HISTORICAL SOCIETY

Bishop Stephen C. Clark confirming a Ute youth at St. Elizabeth's Mission, White Rocks, in 1948.

Episcopal Church missionary activity among Native Americans in Utah commenced among the Ute Indians in the 1890s under Abiel Leonard, Utah's second Episcopal Missionary Bishop, and continued in fits and starts for over a century. However, it was not until the 1940s that any sustained work was undertaken among the Navajo through the efforts of a solo missionary, H. Baxter Liebler, who founded St. Christopher's Mission near Bluff in 1943.

A conspicuous feature of the Utah Episcopal Church activity with Native Americans was its clearly improvised character. Funding, not mission strategy, was the primary topic in the voluminous correspondence between Salt Lake City and the New York City headquarters. Resources were always minimal and programs formulated on the spot by resident missionaries in their efforts to keep schools

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running, churches open, and clinics stocked with medicines. Most missionaries understood little about Native American religion and culture. Some, like Milton J. Hersey who lived among the Utes for many years in the early twentieth century, worked actively for the replacement of those traditional rites that helped hold societies together. Most missionaries had little interest or sympathy for Native American culture. Baxter Liebler was a significant exception. In articles, books, and speeches he extolled the value of traditional Navajo beliefs and culture and urged the peaceful coexistence of Christianity and traditional religion. This is amazing, for Liebler was an unreconstructed preVatican II Anglo Catholic who otherwise had little tolerance for what he regarded as the Protestant heresy of the Reformation.[1]

Also important in the missionary equation was the activity of several women missionaries among the Utes from about 1900 to the 1930s—people like Lucy Nelson Carter, Katherine Murray, Rosa Camfield, and Dr. Mary Latimer James. With the exception of Dr. James, a physician, they say little about local culture and beliefs, but worked cheerfully and determinedly, especially among the Ute women in Utah, to hold Bible study classes, teach modern sewing, cooking, and sanitation, heal the sick, and assist the needy.

Utah Episcopal Church leaders never articulated an explicit policy toward Native Americans. Nevertheless, the church's basic attitudes toward Native Americans can be found in missionary correspondence and articles in *The Spirit of Missions*, the Episcopal Church's monthly missionary magazine.

Of particular importance in identifying the Episcopal Church's national policy toward Native Americans is a lengthy article entitled "The Indian and His Problem," published in *The Spirit of Missions* on September 10, 1910. The article carried the same title as that of a recent book written by Francis E. Leupp, who served in President Theodore Roosevelt's administration as United States Commissioner for Indian Affairs from 1905 to 1909. It was rare for a missionary magazine to devote so much space to a book and its contents unless it was a reflection of current church attitudes and policy.

Leupp, who was in frequent contact with Episcopal missionaries, was no stranger to Utah. When the Uinta Valley reservation was opened to homesteaders in 1905, several hundred Utes moved into eastern Wyoming to join with Lakotas to oppose these incursions. President Roosevelt's response was to send the 10th Cavalry to block the Ute's passage. Leupp gave the Utes the choice of going home or going hungry. If they did not leave, he said, he would suppress them with an "iron hand." The Utes returned to their reser-

[1] Liebler's writings include an article, "The Social and Cultural Patterns of the Navajo Indians, *Utah Historical Quarterly* 30 (Fall 1962): 300-25; and an article "Christian Concepts and Navajo Words," *Utah Humanities Review* 2 (April 1948): 169-75, and a book on his work among the Navajo, *Boil My Heart for Me* (New York: Exposition Press, 1969).

EPISCOPAL CHURCH PHOTOGRAPH COLLECTION, UTAH STATE HISTORICAL SOCIETY

Ute children at a Uintah Reservation Bear Dance.

vations, the size of which was being diminished by homesteaders.[2]

Leupp's book was, in many ways, ahead of its time, sensitive and appreciative of Native Americans, and calling for their integration into the "melting pot" of American life, but on almost all significant political, social, and economic issues Leupp favored established government policies.

Leupp began his discussion by dismissing popular early twentieth century stereotypes of Native Americans as either stoic woods dwellers or cunning, bloodthirsty savages. He acknowledged the profound disruptions brought about by white peoples' pressures on Native Americans, adding, "No race on earth could overcome, by forces evolved from within them, the effects of such treatment. That the Indians have not been wholly ruined by it is the best proof we could ask of the sturdy traits of character inherent in them."[3]

Each Native American should be treated individually, Leupp believed, and each must be an active partner in any effort to improve their status. Education represented the key to the future of Native Americans. Leupp preferred a series of smaller reservation day schools where children could live at home rather than uprooting young Native Americans and sending them off to a few distant institutions for five to seven years, and then returning them to their reservation. The distant institutions he called "educational almshouses," where Native Americans learned dependence. He desired instead local schools where reading, writing, simple mathematics, farming, crafts, and household skills could be learned. "The Indian needs

[2] Floyd A. O'Neil, "An Anguished Odyssey: The Flight of the Utes, 1906-1908," *Utah Historical Quarterly* 36 (Fall 1968): 315-27.

[3] "The Indian and His Problem," *The Spirit of Missions,* 75 (September 10, 1910): 725.

practical rather than showy instruction; the Gospel of Indian salvation, if I read it aright, puts industry at the top of human virtues."[4]

As for the loss of Native American lands, Leupp believed, as did most whites, that Native Americans claimed more land than they could occupy. For Leupp, what some reformers like Helen Hunt Jackson called "A Century of Dishonor" was really "an era of mutual misunderstandings." A backward race must become a forward- looking race through acquisition of skills and cultivation of its lands, he argued. Government was the best institution to help Native Americans even though many government agents were tainted by greed.[5] Leupp supported missionaries, but argued that their work should be building hospitals, schools, and teaching practical skills to Native Americans, and, after that, preaching the gospel. Leupp saw the possibilities of advancement. "And so your chain of instruction can go on, one link being forged into another as fast as his understanding will open to permit it."[6]

On the broader question of the future of Native American populations, he believed they would be gradually merged within the larger white population. "Squaw-men" and "half-breeds" did not deserve scorn, "The good mixed-breeds outnumber the bad" and problems are caused by "our common human nature, not Indian nature or white nature."[7] For such an individual, Leupp concluded:

> He is losing his identity hour by hour competing with whites in the labor market, mingling with white communities and absorbing white pioneers into his own, sending his children to the same schools with white children, intermarrying with whites and rearing an offspring which combines the traits of both lines of ancestry. In the light of this new day, which is now so near its noon, he need not be an inspired seer to discern the approaching end of his pure aboriginal type, and the up growth of another, which will claim the name 'American' by a double title as solid as the hills on his horizon.[8]

A later snapshot of a comparable missionary attitude toward Native Americans was set down in a 1925 article entitled, "A Week Among the Ute Indians" written by Methodist minister N. P. Grant who was traveling with Utah Episcopal Bishop Arthur W. Moulton the church's local leader from 1920 to 1946:

> To the softening influences of Christianity is due the civilizing of this people more than gunpowder or treaty. The Government is acting the wiser part in the development of the people, helping them to help themselves—allotting land as fast as they show the capacity for caring for it. It is a big undertaking to make a farmer out of a warrior, and a long distance from the warpath to the cow path.[9]

[4] Ibid., 726.
[5] Ibid., 727.
[6] Ibid., 728.
[7] Ibid., 728-29.
[8] Ibid., 729.
[9] W. P Grant, "A Week Among the Ute Indians, One of our Methodist Friends Pays a Tribute to the Work of Bishop Moulton and his Helpers," *The Spirit of Missions* 90 (June 1915): 342.

The Utah Missionary District and others in Native American jurisdictions like Minnesota and Arizona competed for funds with China, Africa, and Latin America. Pictures of women in native dress, children lined up at school desks, and silent, stoic "braves" listening to missionaries encouraged eastern audiences to write checks for western missions. The ingredients of the missionary-Native American encounter reflect the racism and paternalism of their time that the Native American would be civilized by a wise government responding to appropriately behaving Native Americans with rewards of land originally taken from them. Leupp was different than other commentators, for he maintained there was an inherent dignity to Native Americans and their culture, but always he sided with the intrusive forces of modernization.

Under President Ulysses S. Grant's "Peace Plan," Congress assigned various Indian reservations to different churches to provide religious and educational training to Native Americans. The Ute Indian Reservation in the Uinta Basin was probably assigned to the Episcopal Church in the 1880s at the urging of Colonel J. F. Randlett, Fort Duchesne post commandant, acting Indian agent, and member of the Episcopal Church.

Episcopal Church work among Native Americans in Utah began in earnest under Abiel Leonard who served as Episcopal Bishop in Utah from 1888 to 1903. Colonel Randlett assigned a parcel of Ute Reservation land for a mission, and in 1894 Leonard launched his program. He wrote, "There are probably 5000 Indians in the Missionary Jurisdiction of Nevada and Utah. I have never sought an opportunity to do any missionary work among them for the very excellent reason that I have had neither the man nor the means to carry out the work.... Will you not help us to elevate the Red Man?"[10] A year later, Leonard raised $2,500 to built a church and mission house. Meanwhile, the Bureau of Indian Affairs opened a school at Randlett four miles south of Fort Duchesne, but with an inadequate water supply, soon moved it to a more favorable location at White Rocks. From 1896 to 1898 George S. Vest, the first Episcopal minister to the Utes, was stationed at Holy Spirit mission located in Leland, a small settlement on the reservation. In 1896 Bishop Leonard built the Church of the Holy Spirit and a rectory at Randlett, not far from the Indian school, and a year later established St. Elizabeth's Mission at White Rocks near the relocated Indian school.[11]

Government and missionary policy was to "civilize" Native Americans by forcing them to become farmers. In 1896, according to Merrill E. Gates, President of the Board of Indian Commissioners, the immediate goal was

[10] Abiel Leonard, "A Statement," 1894, Accn 426 Bx 11 Fd 1. Archival sources for this article include the Utah Episcopal Church Archives in Special Collections, J. Willard Marriott Library, at the University of Utah, hereinafter cited as Accn 426. The Diocesan Archives, originally kept at diocesan headquarters were transferred to the Marriott Library in 2003.

[11] Franklin Spencer Spalding, "Doing Things Out West, *The Spirit of Missions* 77 (December 1912): 882.

"to get the Indians out of the blanket and into trousers—and trousers with a pocket in them and with a *pocket that aches to be filled with dollars.*"[12] Forcing once migrant populations to become settled farmers had devastating effects on Native American life. Of all employment possibilities, that of the struggling isolated farmer was the least attractive option to offer Native Americans as a ticket into a new world. Hunting was a way of life that white settlers and missionaries equated with savagery while, they believed, ownership of small individual plots of land was the only hope for a successful future for Native Americans. Thus the standard 160-acre farm allotment from the government became the basic settlement offered to individual Indians under the 1887 Dawes Severalty Act or General Allotment Act. The remaining reservation lands not allotted to Indians would be opened for white settlement. For the would be Ute farmers, the land was poor and the distance to railroads to transport crops was an almost insurmountable barrier.

UTAH STATE HISTORICAL SOCIETY

Lt. Col. James F. Randlett was largely responsible for securing Episcopal Church involvement with the Ute Indians.

The story of Native American-white relations in the Uinta Basin is one of continued mistrust, sharply decreasing indigenous numbers, and further loss of land. Gilsonite, used in the manufacture of paints, gypsum, and asphalt, was discovered in the southern part of the Ute reservations in 1885, and in 1887 Congress passed the General Allotment Act, which dismantled reservations and provided the opportunity for miners and ranchers to gain access to the most desirable Native American lands.[13] In the mid-1880s the combined Uintah and Ouray reservations encompassed about four million acres, and by 1909 following the passage of the Dawes Act, the two reservations were reduced to about 360,000 acres of which the Utes' allotments totaled about 103,200 acres.[14]

In 1901 Bishop Leonard again appealed to eastern contributors, "Will you not all feel a disposition to right, in some measure, some of the wrongs which we have done to the Red Man in the past by giving him a place in your interest and affections for the future?" At the same time, he wrote the Indian superintendent at the White Rocks agency, "We are simply trying to supplement the work of the government and doing only such things as the

[12] Quoted in David Rich Lewis, *Neither Wolf nor Dog, American Indians, Environment, and Agrarian Change,* (New York: Oxford University Press, 1994), 20.

[13] Joseph G. Jorgensen, *The Sun Dance Religion, Power to the Powerless,* (Chicago: University of Chicago Press, 1972), 50.

[14] Ibid., 55.

government is not able to do."[15] Although he realized the shortcomings of government policy and the ineptness of some of its personnel, Leonard never criticized federal agents. An independent church voice in support of Native Americans would only come nearly a century later.

EPISCOPAL CHURCH PHOTORGRAPH COLLECTION, UTAH STATE HISTORICAL SOCIETY

A White Rocks Posse rider demonstrates his horsemanship skills during the Bishop's Day gathering at White Rocks in 1948 with the Episcopal Church and School in the background.

In 1898 Milton J. Hersey became the lead missionary to the Utah Utes. A grocer from Washington State and a self-educated lay preacher, Hersey spent two years as a lay missionary in Arizona before coming to Utah. In 1901, after a study course with Bishop Leonard, Hersey was ordained a deacon and a priest in 1909 by Bishop Franklin Spencer Spalding. Hersey and his wife Ruby, who died of cancer in 1916, were tireless workers especially in ministering to the sick and dying residents of northeastern Utah. Though his primary mission was to Native Americans, Hersey was also active in the local white community. He was elected president of the Colorado Park Irrigation Company in 1908 and his voice was prominent in supporting public health improvements in eastern Utah.

In addition to Ruby Hersey, other women made valuable contributions to the mission work among the Ute Indians. Foremost among them was Lucy Nelson Carter, who came to White Rocks from Virginia in 1896 at the age of thirty-one, and who spent thirty-four years working with Native Americans. Shortly after arriving at the Uintah Reservation, Carter bought a pony and began visiting nearby camps, teaching English and basic hygiene and sanitation to women and children. In 1899, at Bishop Leonard's request, she moved to White Rocks. Katherine Murray, a Boston teacher and nurse, joined Carter at White Rocks and began a Bible class for children.[16] In 1903 Carter wrote that construction would soon begin on a small house-infirmary. A planned bathroom with running water was not

[15] Leonard to Major H.P. Myton, White Rocks, June 27, 1901, 473-474., Accn 426 Bx 11 Fd 1.

[16] Mary S. Donovan, "Women Missionaries in Utah," *Anglican and Episcopal History,* 66 (June 1997): 165-70.

built because of the cost. Concerned over the lack of running water, Carter lamented, "carrying water into the house [is] a very severe task, and what we shall do when there are several more babies and patients to take care of I don't know."[17]

With plans underway to build St. Elizabeth's Mission House and Hospital, Carter, who had no special training in mission work, returned to her native Virginia for a six months course in nursing. Once back on the reservation, she shoveled rubbish from a room in an old building, evicted rats, and stayed there until the new St. Elizabeth's was finished in August 1903. The new facility contained three bedrooms for the missionaries and six beds in a ward for the sick, plus an operating room. Carter remarked: "The first night I slept in my pleasant, airy room, a *real* room, not a stuffy cubby-hole, it seemed so delightful; and when the first storm with pouring rain beat upon the windows, we sat and looked at it with so much satisfaction, knowing that it would not come in, either under the door or through the roof."[18]

Carter was called "Mother to the Ute babies" for her caring of abandoned Native American infants. She recalled taking a sick child, whose mother had died, into the mission house: "This baby lived long enough—eight months—to take such a place in my heart that there was no more room for loneliness, and to leave such a void when she died, that I was tempted to give the work up and go somewhere else. But afterward I felt that I did the right thing in staying."[19]

In 1903 Carter wrote an article in *The Spirit of Missions* about East Wind and Red Moon, two orphans whom the missionaries informally adopted. She claimed that when a local mother died, the baby was often abandoned or buried alive because of the Ute Indians belief that the mother's spirit would not be happy until the baby's spirit joined it.[20] Several such abandoned infants were left with the missionaries or collected by them in subsequent years.

The health of the Ute people was an ever-present concern for the missionaries. Dr. Mary James, a Bryn Mawr College graduate who spent two years as a missionary doctor, provided a description of local sanitary conditions and found that much of the illness among the Native Americans was caused by poor hygiene and diet.[21] Heat was a problem because both coal and wood were expensive. Most dwellings had poor ventilation and inside fires had no way for the smoke to escape. Clothing was inadequate for the harsh winter climate. Only a few vegetables and fruits were raised on the

[17] Lucy Nelson Carter, "What Happens to Some Indian Babies," *The Spirit of Missions,* 68 (March 1903): 183-84.

[18] Ibid., 834-35.

[19] Lucy Nelson Carter, "The Story of the White Rocks Mission," *The Spirit of Missions*, 68 (November 1903): 834-35

[20] Carter, "What Happens to Some Indian Babies," 183-84.

[21] Mary Latimer James, M.D., "A Medical Missionary in Utah," *The Spirit of Missions,* 75 (May 1910): 340- 42.

EPISCOPAL CHURCH PHOTOGRAPH COLLECTION, UTAH STATE HISTORICAL SOCIETY

Procession at St. Elizabeth's Mission, White Rocks c. 1950.

reservation, and few were preserved for the long winter. Although large herds of cattle were kept, there were few milk cows and they were rarely milked. Eggs were also hard to come by during the winter. The cost of food was high.

Medical treatment was often difficult. James observed that Native Americans resisted taking whiteman's medicines, and, when they did, they frequently stopped the dosage before it had run its course. Others wanted to use the same medicine for every ailment; if it had worked previously, it would work again. The Ute Indians objected to physical examinations and disrobing for the doctor.[22] Tuberculosis was rampant, trachoma widespread, and unsanitary living conditions triggered diseases of the skin and eyes. A local medicine man's treatment for eye disorders was scraping the cornea with rough grass, which did not help.[23]

Episcopal Church attitudes toward Native American traditions and customs at this time contained both helpful and harmful aspects. The missionaries tried to eliminate important elements of local culture like the Bear Dance and Sun Dance. Hersey called the Bear Dance, "This heathen dance and custom [which] the Church is rightfully trying to break up."[24] As a rival event to the Bear Dance, Hersey invited the entire local Native American population to a barbeque on the first Wednesday after Easter. Potato sack and pie races replaced the traditional ceremonies designed to affirm tribal solidarity and recall the past. Hersey noted, "the pie races are most amusing, since they must eat their pie with their hands tied behind them. The winners receive prizes of something useful."[25] Speakers followed

[22] Ibid., 343-45.

[23] Mary Latimer James, M.D., "Some of My Ute Patients," *The Spirit of Missions,* 75 (September 1910): 743-45.

[24] M.J. Hersey, "The Easter Feast Displacing the Bear Dance," *The Spirit of Missions,* 77 (August 1912): 596

[25] Ibid.

the contests; Hersey told the story of Christ's resurrection and urged the Utes to solemnize their weddings through lasting church unions. An Indian Bureau representative explained how to establish permanent birth, marriage and death records, and deeds.

EPISCOPAL CHURCH PHOTOGRAPH COLLECTION, UTAH STATE HISTORICAL SOCIETY

Ute Indian students with Episcopalian leaders in front of St. Elizabeth's Church at White Rocks in 1952.

Sun Dance ceremonies among the Utes were, in part, a response to the social and cultural stresses encountered by Native Americans. The Utah Utes imported the Sun Dance, a traditional Plains Indian ceremony, as both an affirmation of their traditional culture and a distinctively anti-white statement, providing "power to the powerless," as one anthropologist described it.[26] The three-day ceremony was usually held in July and included socializing, healing rites, horse racing, card playing, construction of a sweat lodge for a purification ceremony, and extensive gift giving ending with an elaborate communal meal. It was called a Sun Dance because each morning dancers prayed with the rising of the sun for health and power.[27] The sun symbol's rays were both hot and cold, and there were competing dry and wet forces as well. The dance took place around a wooden center pole, which was dried out and then sacrificed. As it died, its powers (*puwa*) were channeled to others. The rite's content was eclectic; sometimes a cross and other Christian symbols were added as cultural symbols rather than statements of Christian belief.[28] When the Bureau of Indian Affairs outlawed the dance in 1913, the resourceful Utes reintroduced it as a "Thanksgiving Dance" or "Harvest Dance," to the satisfaction of the government authorities.[29]

Arthur W. Moulton maintained an active interest in work among the Utes. He vividly described a 1923 confirmation service:

> the crowded church, the altar ablaze with many colored lights, the sunflowers massed about the sanctuary, the Indian dog that got caught in the altar rail and could not get through, the braves with their colored handkerchiefs over their heads which I carefully removed, the Indians kneeling on the floor in honest devotion waiting in humble faith for the Gift, the Indian policeman, and the big white leader. They were all there and I confirmed them every one.[30]

[26] Jorgensen, *The Sun Dance Religion,* 17ff.
[27] Ibid., 25.
[28] Ibid., 211
[29] Lewis, *Neither Wolf Nor Dog,* 62.
[30] Arthur W. Moulton, "Bishop's Day in the Basin," *The Spirit of Missions,* 88 (January 1923), 10.

UTAH STATE HISTORICAL SOCIETY

Reverend H. Baxter Liebler.

Moulton visited the reservations as often as he could during the Depression, shared what limited resources he had, and was respectful of the Utes without ever understanding their culture. The total population of the reservation declined from 6,000 in 1880 to 1,250 in 1932, but the number of Native Americans baptized and confirmed remained significant, even during times when there was no resident missionary priest.[31] Moulton was intrigued by the Uintah Basin reservations, which he spoke of as "my basin" and in church publications called it the "Bishop's Basin." His reports differ little from those of other missionaries of the 1920s and 1930s. Photos of him with the White Rocks or Randlett congregations show tall, rail-thin Moulton sometimes dressed in full Native American beadwork and feathers regalia.

In 1943 the Episcopal Church began steady work among the Navajo in southern Utah. This was not the result of any master plan, but occurred through the efforts of a self-motivated, eccentric, and highly effective priest, H. Baxter Liebler. The church's Ute and Navajo missions operated independently of one another. Geographic and cultural differences were considerable, and there was little contact between them.

Liebler was born in New York City on November 26, 1889, the son of a successful second-generation German-American Broadway theatrical producer. Educated at Horace Mann School and Columbia University, as a youth, he spent summers in Connecticut where he developed an interest in Native Americans and spent time visiting with Ernest Thompson Seton, a New England neighbor and author of *Two Little Savages* and other period works for young people.

After graduating from Nashotah House, an Anglo Catholic Seminary in Wisconsin, Liebler worked in New York City for twenty-five years running his wife's family business, a company that made artificial limbs. He commuted weekends to Old Greenwich, Connecticut, where he literally built St. Savior's Church and served as its long-time rector. For many years he spent vacations in the Southwest, planning eventually to move there. Liebler wrote Bishop Moulton in 1942, asking permission to set up a mission in southern Utah among the Navajo. Moulton replied the southern Utah

[31] Owanah Anderson, *Jamestown Commitment, the Episcopal Church and the American Indian,* (Cincinnati, Ohio: Forward Movement Publications, 1988), 107.

Native American lands were not part of his jurisdiction. Liebler tactfully pointed out they were within the Missionary District's boundaries. As Moulton became more welcoming, Liebler's leters grew warmer, ending "*in Domino*" and "cordially *in Domino.*"

Liebler, often dressed in the broad-brimmed hat and long black coat of a Spanish padre, had come across the solitary desert by pony to settle near Bluff, Utah. In 1943 Liebler opened St. Christopher's Mission at the northern edge of the Navajo Reservation. The Connecticut priest hoped to find a place where Native Americans had never encountered any missionaries, thus allowing an unalloyed meeting between church and indigenous people. This was an impossible dream.

The Navajo had at least perfunctory contact with Christianity through the early Spanish Franciscans, Mormon missionaries and settlers, and even other Episcopalians. Among some of the early contacts was Laura M. Parmalee, an Episcopalian woman missionary who was accompanied by a Miss Ross. Parmalee, describing her work at a small settlement on the San Juan River, twenty-five miles east of Bluff, wrote in 1923, "I do not know of one Christian Navajo living here." She went on to note that during the year a small dispensary had treated 928 cases and saw more than 1,400 Navajo visitors. Seldom in contact with church authorities, the two women missionaries received Holy Communion only five times during one fourteen month period of time. Parmalee wrote other church members to remember them and their work. "Will those of you who have the privilege of kneeling at a real altar please remember this work and the two workers?"[32]

Just how long the two women missionaries remained among the Navajo is not known, but it was Liebler who, at the age of fifty-three, launched the permanent Navajo mission in 1943. In a short time the mission included a modest school, living quarters, a common room, and medical dispensary. The mission's parish boundaries covered approximately eighteen hundred square miles of mostly desert and grazing land where two thousand Navajos lived a hand to mouth existence.

The mission staff included two Anglican Franciscan monks, and Helen Sturges, a social worker. Liebler's wife Frances was part of the original group, but she did not stay long. Her health was frail and she returned to Connecticut and, later Florida, where Liebler continued to visit her.

Liebler began daily services the day of his arrival. He supervised construction of the mission and expansion of the ministry for nearly twenty years until his retirement in 1962. Seventeen years later a Navajoland Area Mission was created and assumed responsibility for continuing, albeit in a different manner, the work the pioneering priest had begun almost forty years earlier.

The Native Americans called Liebler "the one who drags his garment his-garment-is-long" or sometimes "Sore Guts," after he mistakenly drank

[32] Ibid., 90.

alkaline water from a desert pool. Liebler was a loner. His relations with the bishops were calculatingly correct and he scrupulously kept proper relationships with four of them.[33] He also kept his distance from the National Church's office of Indian affairs, and often spoke against efforts to "civilize" Native Americans by abolishing their traditional culture and beliefs. Later, when National Church policies shifted toward affirming indigenous cultures, he saw it as a vindication of his efforts.[34]

After he had settled in Bluff, Liebler articulated his accommodationist policy toward Navajo religion. He was far ahead of most missionaries of his generation. In 1954 he wrote,

> St. Christopher's does not strive to make Navajos into White Men. Cultural assimilation must come at some time, but it is far off. Deepest respect for Navajo ways and traditions is a part of the Mission's basic attitude, and excepting only such elements of Navajo culture as are opposed to sound hygiene or Christian morals, those ways and traditions are encouraged.[35]

While many missionaries denounced traditional religion as pagan, a word Liebler sometimes used, he saw in it the deep beliefs and symbols that held a society together. "The lines of the life of the Church and the life of the American Indians were parallel lines, but they met in infinity which is God," is how he summarized his position in 1972.[36] Thus he was content to share the same hogan with traditional healers and pray with the sick after they had prayed with them. Although he attended Beauty Way and Enemy Way ceremonies and participated in the corn pollen rite, a traditional form of blessing, he never incorporated any such rituals in his own services.[37]

Liebler's original sermons were drawn from an early set of Franciscan instructional talks delivered in Navajo. Liebler learned to speak Navajo and sometimes used traditional sand painting to illustrate his sermons. The Navajo spoke of him as the person "Who spoke Navajo with a good accent but had few words." He wore his hair long, tied in back with a ribbon, Navajo fashion. When he celebrated mass, he let his hair flow freely, so that the good forces would circulate easily through it and not become trapped. Children were also encouraged to let their hair grow at the mission school, something not allowed at government schools.[38]

Numerous changes occurred in Navajo society following World War II. Uranium and vanadium, a mineral used in strengthening steel, were found on the reservation, bringing revenues to the Navajo Nation and jobs for its

[33] William J. Hannifin, Oral Interview, Tooele, Utah, June 12, 2002.

[34] Wayne L. Pontious, Oral Interview, Erie, Kansas, March 29, 2002.

[35] H. Baxter Liebler, "A Voice in the Desert," fifth printing, St. Christopher's Mission, Bluff, Utah, 1954. An extensive collection of Liebler's papers, films, and recordings are in the Caine MSS Coll 11, Utah State University Libraries, Special Collections & Archives, Logan, Utah. Also useful is a film by April Chabries Haws, *A River in the Desert,* (Brigham Young University, 2000).

[36] Robert S. McPherson, "'He Stood for Us Strongly': Father H. Baxter Liebler's Mission to the Navajo," *American Indian Culture and Research Journal,* 23 (1999): 117.

[37] Ibid.,116.

[38] Ibid., 121.

UTAH STATE HISTORICAL SOCIETY

Construction of St. Christopher's Mission near Bluff c. 1944.

young men. Used car dealers and moneylenders multiplied. Recalling the changes and contrasts that had occurred during his first ten years at St. Christopher's, Liebler wrote in 1953 "People hardly knew a clutch from a radiator, today may have owned and wrecked three or four cars, have learned to tinker and keep them running and drive them over a sandy trail you would think impassable." If less than 2 percent of the population could read and write in 1943, "Today many school boys and girls are unwilling to revert to hogan life." Traditional religion was dying, no indigenous healers were replacing those who died off, and "no young men are learning the ceremonies and chants. What is to take its place? It ought to be, and it can be, a worldwide religion that commands the respect of the best thinkers of all cultures. But it could well be a welter of confusion leading either to bitterness or indifferentism."[39]

Liebler, in addition to using sand paintings, was innovative in conducing mass. He often included Native American music for the sung parts of the service, and his successor, Wayne Pontious, added drums and rattles. *The Mass of St. Isaac Jogues* (1607-1646), named for the French missionary to the Mohawks, was adapted for local use. Liebler, an excellent musician, had written an opening Kyrie using a melody from a Hopi snake dance. The mass ended by singing "The Navajo Mountain Song," which Liebler wrote on a trip to Navajo Mountain.[40] An after-mass prayer in Navajo was also used. Roughly translated it reads:

Jesus Christ, young man chief,
Being God's son,

[39] H. Baxter Liebler, "Saint Christopher's Mission to the Navajo, Bluff, Utah, Tenth Anniversary," 1953.

[40] John E. Liebler, Oral Interview, Moab, Utah, April 1, 2002. The Navajo spoke of her as "She-who-cries-a-lot." The manuscripts Liebler left include a Roman Catholic priest's translation into Navajo of the hymn "St. Patrick's Breastplate," but Liebler never used it, despite the similarities of its content to the Blessing Way.

Now I've made your offering, now I've made smoke.
Today I became your child.
Today I became your grandchild.
Just to me you speak….
Wood streams, bring peace to me,
Grass under me, bring peace to me
Gentle breezes, bring peace to me,
Passing rains, bring peace to me,
Passing thunder, bring peace to me.
Let dew fall near me.
Let pollen form near me.
Before me, peace; behind me, peace.
May I have long life walking, and afterwards peace.
Peace has returned. Peace has returned.[41]

What would the Navajo make of such a service? Their own music was considerably different from that of the Hopi or Plains Indians and was based on repeated rhythmic intensity rather than melody. And, although there were Navajo rugs on the chapel wall, Navajo cosmology encompassed far more than the symbolism contained in the rugs. It represented a systematic view of all creation with which the new Christian religion intersected only in places. But, even if the Navajo's own belief system differed from Liebler's, they respected him for his sensitive appreciation of their religion as he understood it.

How real was the depth of conversion among the Navajo? Many habitually covered their bets and "made the rounds" of several Christian missions, confused by the variety of doctrines preached, but willingly taking food and clothing from several different missionary sources. "Navajo religious acceptance was layered," William J. Hannifin, who worked closely as a chaplain to the Navajo at the Intermountain School in Brigham City, remarked, "They lived in both worlds. Among the Navajo they were Navajo, among the White Men they were like them. I prefer to think of it not as either/or but both/and."[42]

Bishop Richard S. Watson was content to leave work among the Navajo to Liebler, especially given the solitary priest's ability to raise considerable funds, which Watson could never match. Watson worried that Liebler, who retired officially in 1962, might, at some point, turn St. Christopher's Mission over to the Roman Catholic Church, as Liebler occasionally hinted. "Technically this Mission is under the oversight of the Missionary District of Utah. Practically, however, we are in the peculiar position of having little official relation to it," Watson wrote.[43]

[41] This copy of the After-Mass Prayer, St. Christopher's Mission to the Navajo, Bluff, Utah, was given to the author on March 20, 2002, by Marjorie S. May, who worked among the Navajo and wrote a master's thesis on Father Liebler at the Salt Lake Theological Seminary. I have adapted the English translation to fit the cadences of English usage. May's work was later published as *The Highly Adaptable Gospel, a Journey Through the Life of H. Baxter Liebler,* (Chicago: Polymedia, 2003).

[42] William J. Hannifin, Oral Interview, Tooele, Utah, June 12, 2002.

[43] Richard S. Watson to Kenneth G. Nelson, July 17, 1959, p.1 Accn 426 Bx 5 Fd 4.

What is the balance sheet on Liebler's nearly forty years among the Navajo? He left meticulous documentation in books and archives. It is almost as if Liebler anticipated and answered most questions a historian would ask. His consistent achievement in Navajoland is an impressive legacy. Worship was central to it, but he also built a functioning school and a modest clinic as well. His personality was not intrusive, and Liebler never tried to force his brand of religion on others. Through a ministry of compassion and service he earned the admiration of many among whom he lived.

In 1962, shortly before his retirement, Liebler ended his newsletter with a paragraph that provided a summa for his own twenty-year ministry among the Navajo:

> Yes, we praise autumn and the blessings it brings. Cool nights and brilliant days. The Mission bell crisply ringing. Chanting the psalms for the day. Our Holy Sacrifice early in the morning. Steaming oatmeal for breakfast. The yellow flash of the school bus for Bluff. Children's voices. The sound of hammers. Jeep rides to outstations. Children's faces in the religious education classes. Visiting the people. New things learned. Vespers at evening. Supper chats. A tiring day. Peaceful sleep.[44]

Liebler was a gifted publicist. His periodic newsletters reached a direct mailing audience of thirty thousand persons and helped raise over a million dollars. He encouraged visitors and working groups to visit St. Christopher's, produced film footage and radio shows, and wrote interesting brochures about the mission. His own habits were simple, as were those of his followers; Liebler died with few possessions or savings.

Nevertheless, St. Christopher's entered a very difficult time after the retirement and death of Liebler. Debts mounted and the goal to raise up Navajo leadership remained unrealized.[45] Wayne Pontious, whom Liebler groomed as his successor but who never held a parish or managed a complex institution before, was asked by Bishop Otis Charles to leave in 1972 when conditions failed to improve. A series of priests came for short periods while the work atrophied.

By 1975 a new mission strategy was called for, including the idea of carving out a "Navajo Area Mission" with its own bishop. A resolution to this effect was passed by the Utah diocesan convention and in 1979 the Navajoland Area Mission was created by the General Convention, comprising Native American missions from the dioceses of Utah, Arizona, and Rio Grande. Otis Charles was suggested as first Bishop of the Navajo Area Mission but the post went instead to Bishop Frederick Putman, then retiring from Oklahoma. At that time the Rev. Steven Tsosie Plummer, born in 1944, was the only Navajo priest. Ordained on July 25, 1976, Plummer became bishop of Navajoland in 1990.[46] Seeking to accommodate the

[44] H. Baxter Liebler, Autumn 1962 Newsletter, St. Christopher's Mission to the Navajo, Bluff, Utah.
[45] Otis Charles, Oral Interview, San Francisco, Ca., May 1, 2002
[46] "Navajo Mission Nears Reality," Accn 426 Bx 5 Fd 16.

demands of competing Navajo lineages, Plummer moved his office to Bluff, Utah, although diocesan headquarters remained in Farmington, New Mexico.

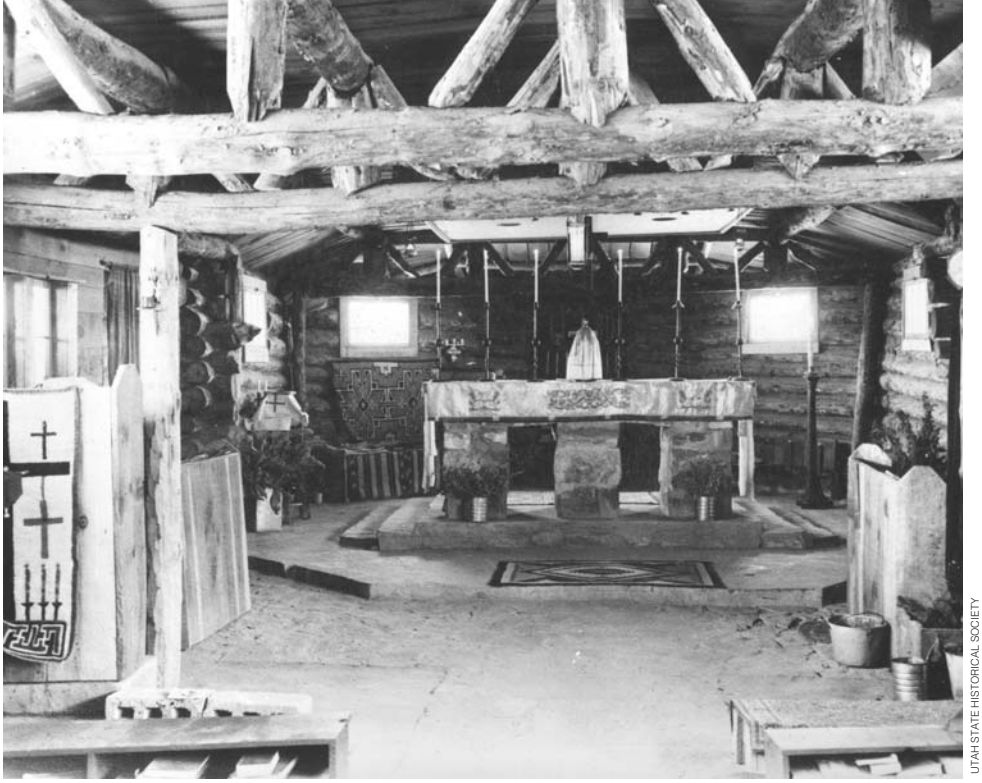
Meanwhile, the Episcopal church's work among the Utes was basically a small pastoral ministry under the care of several clergy who left the reservation lands after a short stay. The Native Americans called them "fly by night missionaries." Some, like Sterling J. Talbot who retired in 1946 after twenty years work on the reservations, and Joe Hogben, widely known as "Father Joe, the buckaroo parson," were remembered for their positive contributions while others created problems. Bishop Richard Watson recalled "a priest some years ago who left…under a cloud with the work a shambles," and another lay worker was sentenced to three years in prison by a federal court "and turned out to be a homosexual and a pervert of the worst sort."[47] At one point the Church Army, a lay evangelical movement within the Episcopal Church, sent workers to the Ute reservation. They held church services, taught religion courses, ran youth groups, sponsored basketball teams, and did the best they could with minimal resources. Bishop Watson tried hard to obtain five thousand dollars from the National Church to purchase a bus for the mission, which had five basketball teams engaging over sixty Ute young men, but the National Church failed to fund the transportation request. Eventually enough money was raised locally to purchase a second hand vehicle.

Watson found much worth in traditional Native American belief that could be affirmed by other Christian churches, "We have adopted the theory that many aspects of the native religion have the possibility of a Christian impact. Rather than taking the old line of discarding everything the Indian understands and loves, we are attempting to make use of the fine spiritual strength of the Indian religion in a Christian way."[48]

From 1965 through 1967 Captain William Roberts of the Church Army conducted an active ministry on the Ute Reservation. His salary, with uniform allowance and Social Security, was $373 a month. It was a ministry of small but real achievements. The following selected entries from his 1966 reports give a sense of missionary work and life:

> Car broke down, burned out a piston, in shop a week, very expensive to repair. Our Little Belles were champions in their division of the basketball tournament—each took home a trophy.….We left White Rocks Saturday evening, September 3, following the funeral here at St. Elizabeth's….We returned on September 23rd to find our house had been broken into repeatedly during our absence with considerable loss and damage. …Buried a two-month-old boy and then four days later baptized a two-month-old girl. Had a House Blessing service on the 15th so the parents and brothers and sisters of the infant who died could return to their home and live. It used to be that a house was burned down or boarded up if someone died in it. (If death was anticipated the person

[47] Richard S. Watson to Wilson Hunter, May 8, 1967, Accn 426 Bx 19 Fd12.
[48] Richard S. Watson to George H. Quarterman, January 27, 1958, Accn 426 Bx 19 Fd 12.



UTAH STATE HISTORICAL SOCIETY

The high altar inside the St. Christopher's Mission chapel.

was placed outside to die.) Now that a house with all its rooms can be blessed, the family can return and 'start over'.[49]

Nevertheless, the missionary work among the Utes was difficult and sporadic. In 1983 the warden of St. Paul's Church, in Vernal reported that the historic church building at White Rocks was falling apart, was subject to vandalism, and should be razed "and the debris hauled away."[50] Money was hard to come by for Native American missions and missionaries difficult to find. But the church waited, and several years later ministry to the reservations was resumed with some success. In the meantime, lay leaders like Nancy Pawwinnie and her sisters Clarice, Mary, and Ruth, at Holy Spirit and Irene Gardner and Ginny Chimboras, two sisters at St. Elizabeth's, held Morning Prayer each week in their homes.

It is instructive to contrast two different Native American responses to the church. Nancy Pawwinnie was one of several Ute women who were active church members but who retained only marginal interest in her traditional Ute religion. She remembered: "When I became an Episcopalian, I did away with everything else. That's how I felt about it. I was a traditional Episcopalian, a 1928 Prayer Book Episcopalian." Pawwinnee was not someone caught between two cultures, for her there was no connection between traditional religion and her Christian beliefs. The Sun Dance was a place to meet friends; its religious significance was nil. "Our dad didn't believe in it, so we didn't believe in it," she recalled.[51]

[49] Diocese Archives, Salt Lake City, uncatalogued folder, copy in author's possession.
[50] "For the 1983—78th Convention of the Episcopal Diocese of Utah," Accn 426 Bx 48 Fd 14.
[51] Nancy Pawwinnee, Oral Interview, Randlett, Utah, November 5, 2002.

Born in Ouray, Utah, October 9, 1921, Nancy was one of ten children of a Ute sheepherder and his wife. Life was happy for the young woman. Her earliest recollections were of the family moving with the herds to summer pasture. She attended the Ouray Indian School in 1929; the three-year course took Nancy and her sisters four years, because they spoke no English. From 1931 to 1936 she was a student at the White Rocks Boarding School, where everybody went to church, and where Bishop Moulton baptized her in 1931. Next came the Sherman Indian School in Riverside, California, from which she graduated in 1940. During World War II Nancy returned to Utah, and in September 1942 went to work for a Salt Lake City commercial sewing company.

Bishop Moulton helped Nancy and her relatives find a parish in Salt Lake City. "We were church-oriented ladies, we couldn't be without a church." St. Mark's Cathedral was formal and dark, but St. Paul's was between priests and Bishop Moulton was the interim pastor. A friendly reception from him and the congregation convinced the sisters to stay there. Nancy remained a devout member of St. Paul's from 1942 until she returned to the Uintah Basin in 1977 following her retirement.

Nancy Pawwinnie led morning prayer services for the small Randlett congregation for ten years until a resident priest could be found in 1987. She and a handful of other Native American women kept the church alive, teaching children, visiting the sick, and preparing the altar when an occasional priest came to hold a Communion service.

Clifford Duncan, a traditional Native American healer who is also active with the White Rocks Episcopal community, followed another course. Duncan is one of a considerable number of dualists who are comfortable in both cultures and accept the values of both traditions instead of rejecting everything about one to favor the other. For example, at funerals Duncan chants traditional Native American prayers in a liturgical setting and participates in the Episcopal Church's burial service. Duncan explained that Ute prayer is to the four cardinal points of the compass, beginning with the East, then moving to the South. Life is divided into numerous patterns of four, "talking to all creation." In the morning "light gives all things birth." It is a time of cleansing, oblations, and preparation for the day ahead. Evening brings the end of the day and presages life's end. It is also a time of forgiveness. "We ask all things to be corrected so that we can begin the new day."[52]

Born at White Rocks in 1933, Duncan remembered his great grandfather going by horse to church at St. Elizabeth's each Sunday while his mother walked the mile with Clifford. The youth attended the local Native American boarding school until his father was transferred to Fort Duschesne with the Bureau of Indian Affairs. Duncan graduated from high school there in 1952.

[52] Clifford Duncan, Oral Interview, White Rocks, Utah, October 28, 2002. The author is grateful to the Rev. Sue Duffield for providing information on the White Rocks mission.

Duncan's interest in traditional religion was expanded by participation in the Sun Dance as a young man, and later he was asked to lead such ceremonies. The last of the Ute traditional healers died or had ceased to practice by the 1930s, but elders shared their knowledge of their past and their beliefs with Duncan. Both the annual Sun Dance and the more frequently conducted sweats "give you an insight into who you are and why you are here," he later recalled. Duncan found Episcopal mission clergy generally accepting of Ute religion and believes the Episcopal Church has played a positive role in Native American congregations though the church still "…needs more of a Native American interpretation."[53]

Seen across the spectrum of over a century, Episcopal Church activity among Native Americans in Utah contained both positive and negative aspects. Among its positive features is its endurance in places like Randlett and White Rocks. There has always been a body of loyal Ute families to keep the church going, attend worship services, and who have ministered to the sick, and have taught their children the rudiments of Christianity, even as missionaries came and went. The church has been less successful in channeling Native Americans into the ministry. Only one Navajo has been ordained an Episcopalian priest and no Ute has been ordained.

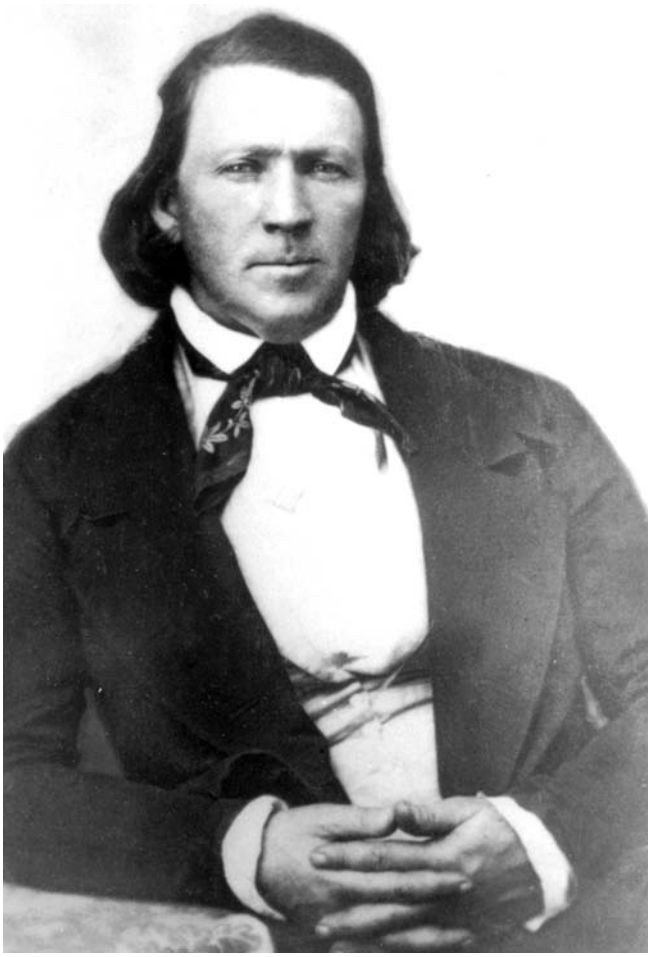
An influential legacy is the church's ambivalence and sometimes opposition to local religion and culture. Baxter Liebler, as an advocate for Native Indians' customs and beliefs, was an exception. Milton L. Hensey actively sought to do away with Ute religion. Early bishops, like Abiel Leonard, knew little about indigenous culture but sought "to elevate the red man." In the 1920s Bishop Arthur W. Moulton was benignly tolerant of the Utes, so was his successor, Richard S. Watson in the 1950s, and Otis Charles in the 1970s.

As for the impact of the church among Native Americans, some became true believers, like the Pawwinnees; others, like Clifford Duncan, practiced layering, living with ease in a world of religious bilingualism. The early articles in *The Spirit of Missions* in the 1920s gleefully described the demise of paganism and the march of civilization among "the Red Man." Much later in the 1970s and since, the church, reflecting wider trends in society triggered by the Civil Rights movement, has come to celebrate the worth of Native American society. Yet few such affirmations of Ute and Navajo worth were evident in the leadership of the Utah Episcopal Church, Liebler excepted, until the twentieth century's closing years.

[53] Clifford Duncan Interview.

"Pursue, Retake & Punish": The 1857 Santa Clara Ambush

By ARDIS E. PARSHALL



Brigham Young, c. 1850.

On the evening of February 17, 1857, four horsemen traveling through southern Utah made camp at the base of a steep bank of the Santa Clara River, a few miles beyond the Mountain Meadows.[1] They turned their horses loose to forage, ate their supper, laid out their bedding with a small fire at their feet, and went to sleep.

At four o'clock the next morning, the men were startled by a barrage of small-arms fire from the brush along the river. One of the campers, John Tobin, was hit by a shot that entered under his right eye, passing through his nose and lodging in his left cheekbone; this, with several lesser wounds, left him prostrate as his companions scrambled for the safety of darkness away from the campfire. Another man, imperfectly identified, was grazed in

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[1] The site now known as Tobin Wash joins the Santa Clara River one mile above present-day Gunlock.

the back of the neck; a third, John Williams, had two fingers shot off. The fourth, John C. Peltro, was uninjured; he later claimed to have returned fire, reporting that he heard the groan of a man he had hit. Most accounts simply state that the victims fled for their lives, leaving Tobin for dead in his bullet-riddled blankets.

The ambushed men lay hidden until daylight then crept back to their campsite. There they discovered that Tobin, although grievously wounded, was still alive. Seeking some clue to their attackers, they collected lead slugs fitting navy Colt revolvers and counted fifty-six holes in their bedding, examined boot prints and the tracks of eight shod horses, and became convinced that their assailants were white men. They found that their own horses had run off during the shooting, and although three of the men could have hiked out, they could not carry Tobin with them. With no choice but to stay in camp, the men settled down to wait for Tobin to die, or for someone to pass along the trail who could carry him out.

Responsibility for the attack on John Tobin and his companions has always been laid at the feet of the Mormons, presumably directed by Brigham Young, who was then governor, superintendent of Indian affairs, and titular head of the Nauvoo Legion, as well as president of The Church of Jesus Christ of Latter-day Saints. "Utah Indians are bold in asserting that the Piedes had nothing to do with it," later reported Indian Agent Garland Hurt. "There is no doubt but the attack was planned in this [Salt Lake] City, and that orders were sent from here to execute it," wrote a *New York Times* correspondent. Widely published apostate John Hyde asserted that "[t]he object of their enmity and this attempted assassination was Mr. Tobin." Historians have repeated these accusations without offering corroborative evidence beyond the original hearsay allegations.[2]

Given the covert, purposely anonymous character of most frontier violence, the lack of satisfactory documentation to confirm or disprove such charges is not surprising. Preserved in the immensely rich Brigham Young correspondence files, however, now freely accessible to scholars at the archives of The Church of Jesus Christ of Latter-day Saints, are key documents relating to the ambush on the Santa Clara. Those files include

[2] Garland Hurt to Jacob Forney, December 4, 1858, in U.S. Congress, Senate, 36th Cong. 1st sess. *Message of the President of the United States.* Ex. Doc. No. 42. *New York Times*, May 20, 1857. Accounts of the Santa Clara ambush include John Hyde, Jr., *Mormonism: Its Leaders and Designs* (New York: W.P. Petridge & Co., 1857), 106-7; Catherine Van Valkenburg Waite, *The Mormon Prophet and His Harem* (Cambridge, Mass.: Riverside Press, 1867), 193-94; "Achilles" [Samuel D. Sirrine], *The Destroying Angels of Mormonism, or a sketch of the life of Orrin Porter Rockwell, the late Danite Chief* (San Francisco: Alta California Printing House c. 1879) 9-10; J.H. Beadle, *Life in Utah, or, The Mysteries and Crimes of Mormonism* (Philadelphia: National Publishing Co., 1870); John D. Lee, *Mormonism Unveiled* (St. Louis: Scammell and Company, 1881), 273-74; Harold Schindler, *Orrin Porter Rockwell: man of God, son of Thunder* (Salt Lake City, University of Utah Press, 1983), 288; Robert Kent Fielding, *The Unsolicited Chronicler: An Account of the Gunnison Massacre, Its Causes and Consequences* (Brookline, Mass.: Paradigm Publications, 1993), 359; Edward Leo Lyman, *San Bernardino: The Rise and Fall of a California Community* (Salt Lake City: Signature Books, 1996), 336-37; and Will Bagley, *Blood of the Prophets: Brigham Young and the Mountain Meadows Massacre* (Norman: University of Oklahoma Press, 2002), 75.

instructions over Brigham Young's signature, the responses of leaders along the southern road, and even letters from victims, all crucial to understanding the 1857 incident. This article traces preliminary events and follows the story through the ambush and its aftermath, correcting oft-repeated misperceptions.[3]

In mid-October, 1856, two drifters named John G. Ambrose and Thomas Betts rode through early winter snows into Great Salt Lake City, one astride a horse and the other on a mule. The men's origins are largely unknown, although, given their sudden appearance in that inclement season with nothing but their mounts and the clothes on their backs, it is not unreasonable to suppose that their recent history included a hasty retreat from some western outpost or overland company.[4]

The pair stopped at the store of Hooper & Williams, an establishment owned by two pillars of the Mormon business community — "Captain" William H. Hooper and Mormon Battalion veteran Thomas S. Williams. There Ambrose traded his mare for five dollars in cash and forty dollars in store credit. That day and the next, Ambrose and Betts selected such necessities as boots, socks, soap, and toothbrushes. They bought spoons, plates, and a tin frying pan, basic gear that should have already been in the outfit of any man legitimately traveling in the West. Within a few days their attention turned to personal appearance: among their next purchases were hair oil, silk handkerchiefs, boot blacking, and a new hat with a ribbon.

The pair spent the next month building a reputation as honest businessmen settling in Utah as ranchers. They sold Betts's mule for one hundred dollars, but — contributing to their image as substantial citizens in no immediate need of cash — they accepted the buyer's note. They even managed to *lend* money to one Utah man, money they obtained through fraudulent dealings with others. The two men lived well, at the expense of local tradesmen to whom they incurred substantial debt.

Merchant H. Larkin Southworth was the first to insist that Ambrose and Betts settle their weeks-old account. Certainly, they reassured Southworth, tendering him a bag of gold dust. One of the men was leaving to investigate herd grounds in central Utah, but the other would redeem the collateral after taking possession of a cow owed to them in Ogden. The men flashed a glimpse of the gold in their leather bag, which they sealed inside a tin box and deposited with Southworth on November 19, 1856.

[3] The Brigham Young Collection (hereafter "BYC") has been available for many years to approved scholars at the archives of The Church of Jesus Christ of Latter-day Saints (hereafter "LDS Archives"). Incoming correspondence was opened to the general public in 2001. Outgoing correspondence was released in 2003 in *Selected Collections from the Archives of The Church of Jesus Christ of Latter-day Saints*, 74-DVD set (Provo: Brigham Young University Press, 2002).

[4] Salt Lake County Probate Court, Case Files, "People vs. Ambrose and Betts." Utah State Archives. Utah Penitentiary, Warden's Office, Records, 1855-1894, Book 2 (Territorial prisoners), 9-10, LDS Archives. While there is no absolute proof that Ambrose and Betts are the two felons described in the correspondence presented below, this is the only case from July 1856 through February 1857 concerning criminal activity resulting in brief prison sentences ending by early February.

A few hours later, Southworth learned that Ambrose and Betts had obtained a carriage from Salt Lake City resident John Pack and had been seen driving out of town southward. Alarmed because neither was heading toward Ogden, Southworth opened the tin box and examined the leather bag more carefully. Its contents were worthless. Hastening to the office of Salt Lake County Probate Judge Elias Smith, Southworth swore out a complaint. Ambrose and Betts "had proceeded south ... under suspicious circumstances," he said, and "they are now on their way to California or some other country with the intention to convert the carriage obtained from Mr. Pack to their own use." Further, the two men "intended to swindle [Southworth] out of the amount due from them." Smith issued an arrest warrant, and recently appointed Utah territorial marshal Alexander McRae set out in pursuit of the swindlers.

Ambrose and Betts would seem to have chosen an unlucky moment for fleecing the merchants of Salt Lake City. Utah was then in the thick of the Mormon Reformation, a period of religious revival and intensely emotional dedication to purifying Zion. Jedediah M. Grant, charismatic second counselor in the church's governing First Presidency, formally launched the reformation on September 13, 1856. In multiple "soul-stirring addresses," Grant called on the people to live their religion in minute detail, observe cleanliness in every sense, and set themselves, their families and communities in order. Of those who would not so conduct themselves, "let them be unto you as heathen men and publicans, and not numbered among the Saints."[5]

For the next four months, coinciding with the arrival and double-dealing of Ambrose and Betts, "home missionaries" fanned out through the settlements, preaching repentance and warning of terrifying consequences for those who failed to forsake their sins. In Salt Lake City's Nineteenth Ward, missionary William Willis "ad[d]ressed the Saints on various points of the celestial Law and ... in the strongest t[e]rms told them it must now be [k]ept or Death would be the penalty." Brigham Young endorsed similar statements by noting, "I know when you hear my brethren telling about cutting people off from the earth that you consider it as strong doctrine, but it is to save them, not to destroy them." Church members were subjected to detailed inquiry into possible misconduct. Dramatizing his teaching that God would withdraw the priesthood if the people did not repent, Brigham Young forbade the administration of the sacrament after mid-November, and during the months of December 1856 and January 1857

[5] *Deseret News*, September 24, 1856. Thomas G. Alexander, "Wilford Woodruff and the Mormon Reformation of 1855-57," *Dialogue: A Journal of Mormon Thought* 25 (Summer 1992): 25-39; Bagley, *Blood of the Prophets*, 49-52; David L. Bigler, *Forgotten Kingdom: The Mormon Theocracy in the American West, 1847-1896* (Spokane, Washington: Arthur H. Clark, 1998), 121-39; Eugene E. Campbell, *Establishing Zion: The Mormon Church in the American West, 1847-1869* (Salt Lake City: Signature Books, 1988), 181-200; Paul H. Peterson, "The Mormon Reformation of 1856-1857: The Rhetoric and the Reality," *Journal of Mormon History* 15 (Summer 1989): 59-87.

the First Presidency retired from public view.[6]

Often overlooked in the reformation's fire and brimstone is the parallel track of mercy toward the penitent. According to Apostle Wilford Woodruff, Brigham Young promised the people that "if they would repent & turn from their sins from that hour all their sins should be forgiven them & not remembered against them No more forever." Such forgiveness, however, was contingent on maintaining new and better habits. Apostle Franklin D. Richards preached the consequences of backsliding: "If you see a man that will confess his sins, he should feel the impression upon him that that must be the last time; if he does not, he will inherit sorrow unto himself, and will not get off as easily as he has."[7]

The effects of the reformation were evident in a marked increase in tithes and attendance at church meetings, in the rebaptism of thousands (including the entire Territorial Legislature, as an official act of that body), and in a substantial number of newly contracted plural marriages. Success could also be measured by the plans of a certain class of people to leave Utah in the spring. Brigham Young summarized these indications of successful reformation in January 1857: "The reformation still continues ... Meetings are frequent and well attended. You may believe that it makes the 'Sinner in Zion afraid, and fearfulness seize the hypocrite,' and we trust it will be too warm for such characters to remain in our midst."[8]

It was onto this scene of religious fervor that Ambrose and Betts unwittingly entered in mid-October 1856. By November 24, when the marshal and his posse returned their prisoners to Judge Smith's courtroom, community intolerance for wrongdoing was reaching its most acute stage.

Smith ordered the accused held without bail. "[A] jury of twelve men were empannelled and sworn to try the case, who upon investigation found Ambrose and Betts guilty of larceny, and sentenced them to thirty days imprisonment in the penitentiary." The leniency of the sentence "surprised" Smith, "for from their own statements and admissions they were a set of notorious villains."[9]

[6] 19th Ward, Record of Members, 1850-1856. Minutes, October 3, 1856. LDS Archives. *Deseret News*, October 1, 1856.

[7] Scott G. Kenney, ed., *Wilford Woodruff's Journal, 1833-1898*, 9 vols. (Midvale, Utah: Signature Books, 1983), 4:489. Historian's Office. History of the Church, 1839-ca. 1882, January 27, 1857.

[8] Brigham Young to George A. Smith, January 3, 1857, BYC. Newspapers carried lurid reports of disaffected Mormons who, unhindered despite reported fears, left Utah in the spring of 1857:

> "We have another arrival from Mormondom. An emigrant train, containing a large number of women and children – one hundred persons in all – has just reached this city [Lawrence, Kansas]....The members of this company are, or rather were, professors of the Mormon faith, but they fled from the holy land, partly to escape from the relentless tyranny of the BRIGHAM YOUNG oligarchy, and partly to improve their pecuniary affairs. When they left, there was great dissatisfaction among the Saints, and about a thousand persons abandoned Utah at the same time. Several trains departed for the States, and nearly four hundred started for Oregon. It was with difficulty that they escaped, and many threats were made that violence would be committed upon them if they attempted to leave the country. The large number of those who left is believed to have been their protection." *New York Times*, August 5, 1857.

[9] Sarah C. Thomas, comp. 3 vols. *Elias Smith's Journal*. [1984?], November 24, 1856.

It was an expensive trial for the territory; costs were assessed to the felons and their property confiscated. The next morning warden Daniel Carn received Ambrose and Betts, among the first prisoners to be confined in the newly constructed adobe prison just beyond the southeastern limits of Salt Lake City.

With the exception of those immediately involved, Utahns paid no apparent attention to the trial and conviction of the two swindlers.[10] Of more urgent concern was the October/November rescue of handcart emigrants stranded in Wyoming snows, and the December 1 death of Jedediah M. Grant. During that exceptionally hard winter, several Salt Lake City homes and the roof of the Bowery on the temple block collapsed under heavy snows. Bitter temperatures were deadly to stock on the ranges; to save a few animals, city dwellers fed cattle on their home lots, and Brigham Young ordered valuable horses brought from Fort Bridger to the milder ranges south of Utah Lake.[11]

Before the handcart rescue eclipsed other work there, men had been sent to Fort Bridger to survey lands from which a Mormon posse had expelled mountaineer James Bridger in 1853. Among that party was John Tobin, likely assigned to the project because of his experience with the 1853 surveying party of U.S. Army Captain John W. Gunnison. Born in the port city of Dungarven, Ireland, on October 24, 1835, Tobin immigrated to the United States as a boy of fourteen. In 1851, not yet sixteen years old, Tobin enlisted at Pittsburgh, Pennsylvania, for a five-year term in the U. S. Army; he came to Utah with Captain Robert M. Morris as escort to Gunnison, who was massacred with six members of his party by Pahvant Indians on October 26, 1853. Tobin converted to Mormonism while wintering in Salt Lake City with other survivors of that expedition.

When his duties took him to Oregon Territory in 1854, he opened a regular correspondence with Brigham Young and conducted a long-distance courtship of the governor's fifteen-year-old daughter Alice. Speaking for other Mormon converts in his company, Tobin assured his church leader that "My Brethren here manfully support their creed." The lonely young soldier looked back to Utah for friendship and approval: "I have been in expectation of hearing from Salt Lake this while back not having received an answer to my letters. I fancy they have been miscarried." "I would like to hear from Bro. Brig [Brigham Young, Jr.] or some of the young people. They all promised to write us (I mean the boys) when they should hear of our whereabouts."[12]

[10] The matter is not mentioned in the *Deseret News*, of which Elias Smith was then associate editor; outgoing correspondence of Brigham Young, which often included summaries of local news; *Journal History*, the massive day-by-day chronology of church and Utah affairs; Historian's Office Journal, where gossip about civic affairs was sometimes recorded; nor in the manuscript History of the Church, LDS Archives.

[11] Brigham Young to Andrew Moffat, January 7, 1857, BYC.

[12] Lewis Robison to Brigham Young, October 18, 1856; Claudius V. Spencer to Brigham Young, November 12, 1856; John Tobin to Brigham Young, December 1, 1856, BYC. Thomas D. Brown, "Journal

When First Sergeant Tobin was discharged and returned to Salt Lake City in May 1856, many of their acquaintances expected John Tobin and Alice Young to marry. Tobin, however, began courting Sarah Jane Rich, eldest child of Apostle Charles C. Rich, a co-founder of the LDS community at San Bernardino where Rich lived, although Sarah Jane and her mother lived in Salt Lake City. Tobin's attentions were of such a character that Sarah Jane's mother felt obliged to admonish Tobin to be mindful of the seventeen-year-old girl's reputation. Telling him "I consider you the same as a member of my family," she clearly liked Tobin and encouraged his relationship with her daughter, "the favorite of her Father," but she asked him not to "think straing [strange] of her not calling at the office for it is not thought best for her to call thare at present." She warned that "every Step of that dear girl is now watched both by friends and those that are not friends."[13]

Perhaps because of gossip concerning Tobin's attentions to Sarah Jane, Alice Young broke off her supposed engagement to Tobin. Much to the surprise of her friends, she became the third wife of Salt Lake City businessman Hiram B. Clawson on October 26, 1856.[14]

In turn, Tobin married Sarah Jane on December 29, 1856, albeit half-heartedly. That the couple had the blessing of Sarah Jane's father as well as her mother is shown by Rich's letter to Tobin from San Bernardino, "I was well pleased with your stay here [following Tobin's army discharge] and all I want is for you Both to Live [as] Saints and be saved here and here after," and his letter to Sarah Jane telling her "I was glad to hear that you was married[.] I trust you and your Husband will always be happy."[15]

of the Southern Indian Mission," October-November 1856, LDS Archives. Historian's Office Journal, November 11, 1856, LDS Archives. Missionary Department, Missionary Registers, 1860-1959, Book A, p. 1, LDS Archives. Affidavit of John Tobin, February 9, 1880, John Tobin Pension File, National Archives. John Tobin to Brigham Young, April 6, October 26, 1854, March 5, May 20, July 4, 1855 [date of receipt], September 13, 1855; John Tobin to Mary Ann Angell Young, August 5, 1855; Brigham Young to John Tobin, December 30,1854, January 9, 1855, BYC.

[13] *Deseret News*, May 28, 1856. Charles C. Rich to Brigham Young, May 3, 1856; Sarah D. Rich to John Tobin, September 15, 1856, BYC.

[14] Ellen Spencer Clawson to Ellen Pratt McGary, November 4, 1856, February 5, 1857; Ellen Pratt McGary to Ellen Spencer Clawson, January 8, 1857, in S. George Ellsworth, *Dear Ellen: Two Mormon Women and Their Letters* (Salt Lake City: Tanner Trust Fund, University of Utah Library, 1973). Although some of their friends believed Alice and Tobin to be engaged, others believed Alice was engaged to William Wright, then a missionary in Hawaii. Wright's correspondence to Brigham Young does imply an intimacy not common among young, unrelated missionaries: "Remember me to sister Young and the Family." William B. Wright to Brigham Young, May 14, 1857, BYC. If such an engagement did exist, it did not prevent Alice from "riding out with" Tobin. Leonora Cannon Taylor to Angus Cannon, May 31, 1856. John Taylor Collection, LDS Archives.

[15] Charles C. Rich to Sarah Jane Tobin, February 8, 1857, Charles C. Rich Collection, LDS Archives. Ellen Spencer Clawson, February 5, hints at the gossip swirling around the couple: Not knowing of Rich's approval of the marriage but aware that Tobin had left Salt Lake City, Ellen asked, "[H]ow does Bro. Rich feel about Sarah Janes [sic] and did Mr Toban go that way, I mean to San Bernardino[?]" The perception that Tobin was less than enthusiastic about his marriage is based on his request for a bishop to marry the couple "as I feel bound to perform my word." John Tobin to Brigham Young, December 28, 1856, BYC. An earlier wedding date had been postponed: Rich "would have been much better Sattisfied if you had married at the time first appointed." Charles C. Rich to John Tobin, January 8, 1857, Charles C. Rich Collection.

Notwithstanding these cordial sentiments, the marriage of John and Sarah Jane Tobin had a rocky beginning. The couple did not live together following their wedding. Brigham Young counseled Tobin to move into the Rich home or to establish a home for Sarah Jane elsewhere; in either case he should support Sarah Jane as a wife or have nothing more to do with her. His advice to Mrs. Rich was to enforce this counsel by barring Tobin's access to Sarah Jane if he failed to make a home for her.[16]

Instead of establishing a marital home, Tobin decided to rejoin the army in California. He left Salt Lake City for San Bernardino early in February 1857.

Another man taking the southern road to California after wintering in Salt Lake City was John C. Peltro. Styled as "Colonel" or "General," Peltro is usually described as a government surveyor engaged in locating a military road from Fort Laramie to Salt Lake City. This appears to be an inflation of his role.

In fact, Peltro was merely a transcontinental traveler who rode briefly with the surveying party as a matter of personal convenience. The newspaper notice of his arrival in Salt Lake City in mid-September 1856 calls him only "Mr." Peltro without a military title, and states that he "accompanied" a surveying party as far as Bridger's Pass in what is now southwestern Wyoming. That survey was led not by Peltro but by First Lieutenant Francis T. Bryan, U.S. Army Topographical Engineers, who, with his detachment, turned back to Laramie from Bridger's Pass, at which point Peltro separated from them to continue his journey west. Lieut. Bryan sent a copy of his new map to Governor Young by the hand of Peltro; this courtesy delivery is the extent of Peltro's known service to the government surveying party.[17]

Meanwhile, Ambrose and Betts served out their sentences and were released on Christmas Day 1856. They seem not to have appreciated the lightness of their punishment. Indeed, Betts had the temerity to call at Brigham Young's office on December 26, to dispute the charges against him. "I am one of the persons who was tryed in this City some five weeks ago for larceny and centenced to the Teratory Prison for thirty days and all my property taken from me, I have served out my time ... I want to lay the *true* statement of the Case before you[.]" Complained Betts, "I do not think

[16] Brigham Young to Sarah D. Rich, Brigham Young to John Tobin, both January 20, 1857, BYC. Although living apart, Tobin and his bride had a child, Sarah Ellen, born September 14, 1857. The Church of Jesus Christ of Latter-day Saints, *Ordinance Index* (electronic database), entry for Sarah Ellen Tobin. Named for both grandmothers, Sarah D. Pea Rich and Ellen McGrath Tobin, she was known as "Ella" throughout life.

[17] *Deseret News*, September 17, 1856; *Los Angeles Star*, March 7, 1857. Mormon diarist Philip W. Hosking, en route from Texas to Salt Lake City, distinguished Peltro's status from that of Timothy Goodale. "A gentile named John C. Peltro came to our camp. He has an Irish servant, 2 pack mules and 2 horses. He solicited the privilege of traveling along with us to the Valley ... At 3 p.m. Mr. Peltro came up, accompanied by Mr. Timothy Goodale, the guide for the government troops, who were out on an exploring expedition." *Journal History*, September 17, 1856. That Peltro was not a U.S. Army officer may be inferred from the absence of his name from Francis B. Heitman, ed., *Historical Register and Dictionary of the United States Army* (Washington, D.C.: Government Printing Office, 1903).

that I have had justice shown me." The record does not indicate whether Betts received an audience. In any event, if he were not aware of it earlier, the history of the two felons was surely brought to Brigham Young's attention by this direct appeal.[18]

Ambrose and Betts made efforts to leave the territory as soon as weather and their means permitted. By early February they had traveled as far as Garland Hurt's Indian farm at Spanish Fork, sixty miles south of Salt Lake City. Brigham Young, despite heavy responsibilities to church and territory and his own recent illness, was well aware of their location and plans. On February 3, he wrote to Bishops Aaron Johnson at Springville, John L. Butler at Spanish Fork, and George W. Bradley at Nephi:

> We learn of some noted persons congregating at the Indian farm on Spanish Fork with a view of going out with the mail south or some other time not far distant for California. In this crowd are two persons who have lately served out a short period in the Penitentiary in this Territory. We consider it wisdom to be on our guard in relation to our Stock and the Stock of our settlements generally, especially our horses now on the range near the south end of Utah Lake, lest they attempt to make a break upon them. ... What we wish of you is to have a few men on the look out and ready to act in case of emergency. It would be well to have them go out and make a short trip around to see that all things are right.

Presumably, if no theft occurred Ambrose and Betts were to pass on their way unhindered. But, "if any such thing as we have suggested should occur we shall regret to hear a favorable report; we do not expect there would be any prosecutions for false imprisonment or tale bearers left for witnesses." Unambiguous if not explicit, these instructions left so little room for misinterpretation that Brigham Young closed his letter with the caution to "have a few men that can be trusted on hand, and make no noise about it and keep this letter safe. We write for your eye alone and to men that can be trusted."[19]

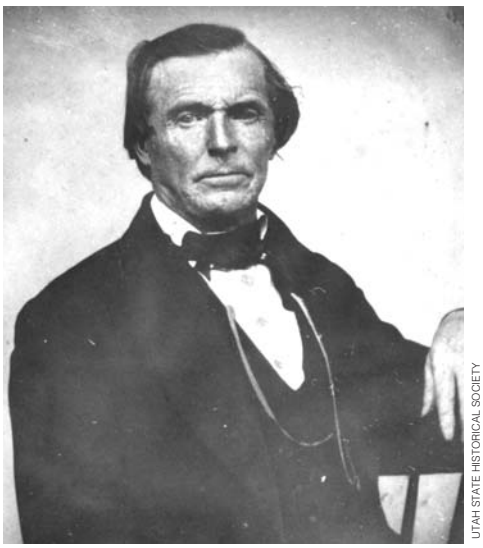
There can be no doubt as to the letter's authenticity. The retained copy of this letter, although unsigned, appears in correct date order in the bound letter books of Brigham Young's office now preserved in LDS archives. Letters acknowledging its receipt were addressed to Brigham Young and are filed in his incoming correspondence. "[I]t is done as you requested," wrote Aaron Johnson, a Nauvoo Legion brigadier as well as Springville's bishop, immediately after assembling his town's leadership to hear the letter read and satisfy themselves as to its authenticity. "Your letter dated Feb. 3rd. came to hand on the evening of the eleventh inst. And I have governed myself according to the instructions therein contained," replied Bishop George W. Bradley from Nephi. Bradley's letter had been delivered by the regular southbound mail, which left Salt Lake City on February 8, but

[18] Thomas Betts to Brigham Young, December 26, 1856, BYC.

[19] Brigham Young to Aaron Johnson, February 3, 1857, BYC. The typescript of this letter available in *Selected Collections* gives the line as *persecutions* for false imprisonment; my reading of the holographic original is *prosecutions.*

Johnson's letter was hand-delivered by Brigham Young, Jr.[20]

Indian Agent Garland Hurt later wrote: "About the 3d of February last, two gentlemen, John Peltro and John Tobin, reached the Indian farm, on Spanish Fork, in company with several other persons, *en route* for California. ... [T]wo other persons (Brigham Young jr., son of *his excellency*, and a young man named [Stephen] Taylor) overtook them, and all remained over night at my house." During that evening, Tobin later claimed, Brigham Young, Jr., "called me aside ... He said John where are you going. I said I am aiding these emigrants to California ... He said John I am sorry to see you in such bad Company."[21]



UTAH STATE HISTORICAL SOCIETY

Elias Smith, Salt Lake City judge who presided over the trial of John G. Ambrose and Thomas Betts.

Leaving Utah County, the two former prisoners, with Tobin, Peltro, and an

[20] Aaron Johnson to Brigham Young, February 4, 1857, BYC: J.M. Stewart to Editor, *Valley Tan*, August 24, 1859; George W. Bradley to Brigham Young, February 16, 1857, BYC.

More than two years after the Springville meeting, participant John M. Stewart retained an amazingly accurate memory of the February 3 letter's contents as he related them to the editor of the *Valley Tan:*

> "After all had assembled, and were orderly seated, the Bishop stated the object of the meeting which was, that we might hear a letter which he had just received from President Young. He there read the letter, the purport of which was about this.
>
> He, Brigham, had information that some suspicious characters were collecting at the "Indian Farm," on Spanish Fork, and he wished him (Bishop Johnson) to keep a good look out in that direction; to send some one there to reconnoiter and ascertain what was going on, and if they (those suspicious characters) should make a break, and be pursued, which he required; he 'would be sorry to hear a favorable report;' 'But,' said he, 'the better way is to lock the stable door before the horse is stolen.'
>
> He then admonished the Bishop that he (the Bishop) understood those things, and would act accordingly, and 'keep this letter close,' or safe.
>
> This letter was over Brigham's signature, in his own peculiarly rough hands [sic], which we all had the privilege of seeing."

The citizens of Springville clearly interpreted the February 3 letter as a general instruction applicable to all "suspicious characters," not merely to Ambrose and Betts, who were unknown to them and whom the letter did not name. On March 14, 1857, as William Parrish and his sons Beason and Orrin attempted to leave Springville under suspicious circumstances – under cover of darkness and leaving unpaid debts behind them – town leaders applied the orders they believed they had been given by the February 3 letter and attacked the party with firearms and knives. Although Orrin escaped, William and Beason Parrish and their guide, Gardner "Duff" Potter, were murdered. As Stewart's letter to the *Valley Tan* makes clear, the Parrish-Potter murders were a direct, although unintended, result of Brigham Young's letter of February 3. The most recent and detailed study of the Parish-Potter murders is Polly Aird, "'You Nasty Apostates, Clear Out': Reasons for Disaffection in the Late 1850s," *Journal of Mormon History* 30 (Fall 2004): 173-91

[21] Garland Hurt to Jacob Forney, December 4, 1858, in *Message* ... Deposition of John Tobin, October 26-27, 1885, Pension File. Brigham Young protested "allowing the [Indian] farm to become a resort for stragglers, idle persons, loafers, who ... make the farm a stopping place," in a letter which, by its date, was clearly prompted by Brigham Young, Jr.'s report of his encounter with the Tobin company. Brigham Young to Garland Hurt, February 11, 1857, BYC.

unknown number of others, passed through the settlements of Juab and Millard counties closely watched by a populace who had been warned by their leaders "not to keep strag[g]lers" without bishops' recommends, "for they will come to steal our horses." South of Fillmore, the party was stopped by a posse on the pretext of having trotted their horses within town limits; they were allowed to proceed after the brands on their animals were carefully examined. They passed southward toward Iron County without further incident.[22]

Following the same route five days later, the California-bound mail carried letters from Brigham Young dated February 6, 1857, and addressed to Lewis Brunson at Fillmore, William H. Dame at Parowan, and Isaac C. Haight at Cedar City. These letters, the retained copy of which appears over Brigham Young's name, echoed the ominous language of the earlier instructions:

> Be on the look out now, & have a few trusty men ready in case of need to pursue, retake & punish. We do not suppose there would be any prosecutions for false imprisonments, or tale bearers for witnesses. ... Make no noise of this matter, & keep this letter safe. We write for your eye alone, & to men that can be trusted."[23]

While more explicit in one respect ("pursue, retake & punish"), these letters were silent in another critical detail: Unlike the earlier letters, they did not state that a penalty was to be imposed only after the theft of stock.

The California-bound party had already passed Parowan by the time the February 6 letter reached William H. Dame, colonel of the Nauvoo Legion's Iron County Brigade. Even absent a specific alert, Dame had closely observed the travelers but had seen no evidence of stolen animals. He assured Brigham Young that the saints stood ready to carry out his directives. "Tobin, Peltro and those from prison passed with seven or eight more a few days before the mail ... We could not discover any brand on their poor ponies, but was surprised to see them here. I received your letter by mail, & have prepared a few[. A] word any time is comforting[. W]e try to live so when your finger crooks, we move."[24]

[22] Record of the Nephi Mass Quorum of Seventies, 1857-1859, photocopy, L. Tom Perry Special Collections, Harold B. Lee Library, Brigham Young University. Deposition of John Tobin, October 26-27, 1885, Pension File.

[23] Brigham Young to Bishops & Presidents South, February 6, 1857, BYC. Alternatively, some might read "in case of need" here as the equivalent of "if any such thing ... should occur" in the earlier letter.

[24] William H. Dame to Brigham Young, February 17, 1857, BYC. Dame's reference to the "crooking finger" was not a casual choice of words, but was a clear acknowledgment of the ominous signal he perceived in his instructions. While used metaphorically in Dame's letter, hand gestures were a literal and deliberate accompaniment to Brigham Young's speaking style. World traveler Richard F. Burton noted it in 1860 but considered it merely a New England affectation. Richard F. Burton, *The City of the Saints* (New York: Harper & Bros., 1862), 261. In 1851, Utah Supreme Court Judge Perry E. Brocchus had considered it hostile, an impression Brigham Young confirmed in 1853. U.S. Congress, House 32d Cong. , 1st sess. *Message from the President of the United States*, Ex. Doc. No. 25, 15. *Journal of Discourses,* 26 vols. (Liverpool: F.D. Richards, 1855), 1:186-87. T.B.H. Stenhouse, former intimate of Brigham Young, alleged that the "crooking finger" was an habitual warning: "Since that memorable day he had not infrequently warned the troublesome of the danger of crooking that finger, and it was no idle threat when he said: 'Apostates, or men who never made any profession of religion, had better be careful how they come here, lest I should

UTAH STATE HISTORICAL SOCIETY

The Santa Clara River near the ambush site.

The party continued from Parowan to Cedar City and on through Pinto. Somewhere beyond Parowan, where Dame numbered the travelers at eleven or twelve, the group divided into two camps. Most, including Ambrose and Betts, elected to wait for the mail carrier before continuing through southern Utah and the dangerous deserts beyond; Tobin, Peltro, a man now known only as John Williams, and a fourth, now unknown man who may have been named Smith, chose to push ahead on their own. The company passed from Mountain Meadows, then a widely known and welcome oasis for travelers, to the Santa Clara River on February 17. The air was so chilly when they made camp by the side of the river that they decided to leave a fire burning all night.[25]

bend my little finger.'" T.B.H. Stenhouse, *Rocky Mountain Saints* (London: Ward Lock and Tyler, [1874]), 277. It is no doubt in this sense that Dame used the phrase in his February 17 letter.

Dame's response begs the question of why a leader in southern Utah would see hostile intent in virtually the same words seen as chiefly cautionary by leaders in central Utah. There is no definitive study accounting for cultural differences between southern Utah and other parts of nineteenth century Mormondom. Juanita Brooks addresses the subject briefly in her chapter "Zealous South" in *The Mountain Meadows Massacre*, 2nd ed. (Norman: University of Oklahoma Press, 1962), 31-59. While not particularly directed toward southern Utah, D. Michael Quinn sketches distinctions between Mormon experience at and distant from the church's center in "LDS 'Headquarters Culture' and the Rest of Mormonism: Past and Present," *Dialogue* 34, no. 3-4 (Fall-Winter 2001), 135-64; 143-50 focuses on the nineteenth century. Charles S. Peterson, "A Mormon Town: One Man's West," *Journal of Mormon History* 2 (1976), 3-12, examines ways in which geographical and social inwardness affected southern Utahns; contrasting conclusions are presented in W. Paul Reeve, "Mormons, Miners, and Southern Paiutes: Making Space on the Nineteenth-Century Western Frontier" (Ph.D. diss.,University of Utah, 2002). The answer may include some mix of the cultural origins of southern Utahns; a sense of mission among those who responded to early calls to settle in the south; the numbers of those with personal memories of Missouri persecutions; differences between rural and urban values not unique to Utah, Mormonism, or the nineteenth century; and the tremendous authority that southern leaders held over isolated colonies without benefit of frequent association with Salt Lake leadership and other moderating influences.

[25] Among traveling groups composed by accidents of timing and route, convenience dictated mergers and divisions such as this one. This is vividly illustrated by the history of the Baker-Fancher families who followed the same road seven months later. Because others traveled with them at times, falling in and dropping out at will, fully identifying those who died in the Mountain Meadows massacre, or even assigning an accurate number, remains problematic. The division of the February party likely occurred beyond Pinto, perhaps as near to the ambush site as the Mountain Meadows. If Peltro started back "to procure assistance" after the attack as he would claim in his California interview (*Los Angeles Star*, March 7, 1857), the division must have been very recent: Peltro would have known that the mail was not far behind and that he would meet the carrier before he could reach Pinto. His backtracking makes sense only if he expected to encounter other travelers nearer to him than the mail carrier or the nearest settlement. The division also had to have been of such recent occurrence that those monitoring the company's progress were unaware of the separation, and therefore ignorant of the absence of Ambrose and Betts from the Santa Clara ambush site.

Carrying the mail between Salt Lake City and Los Angeles was a demanding task requiring frontiersmen of the highest caliber. David Savage (based in Cedar City) and John Hunt (based in San Bernardino), both Mormons, were the men who most often relayed the mail in 1856-1857. One received the eastern mail with that originating in Salt Lake City and carried it to Los Angeles, returning with the California mail the following month; the other reversed that course. "The Indians were very hostile & it was thought to be as much as a mans life was worth to [go] through that region of the country but I escaped unharmed," wrote David Savage of his days as a mail carrier.[26]

It was John Hunt who left Salt Lake City with the mail on February 8. Hunt was uncommonly experienced for a twenty-four-year-old. He had accompanied the Mormon Battalion on their 1846 march as far as New Mexico when he was barely into his teens, wintering at Pueblo and arriving in the Salt Lake Valley in 1847. That fall he had gone to California, following much the same route later used by the mail. Hunt had carried the mail through southern Utah at least a dozen times before starting into the Santa Clara Canyon on February 19, 1857, accompanied by those travelers — including Ambrose and Betts — who had remained behind on the trail when Tobin and Peltro pushed ahead.

Tobin and his wounded companions had waited without medical attention for sixty hours before John Hunt arrived at the Santa Clara camp on the afternoon of February 19. Those capable of riding were provided with mounts, but the majority of their baggage and saddles had to be left behind.

The enlarged company, with Tobin presumably suffering prone in the mail wagon, pressed on. In the difficult Virgin River section of the route they met the California mail and a company returning north from the Mormon mission at Las Vegas. Missionary Lorenzo Brown noted, "When near the Virgin hill [we] met the mail ... with it there were 4 men who were fired at when on the Santa Clara & one Tobin man severely wounded in the nose[.]" The mission journalist at Las Vegas recorded their arrival there: "Monday 23rd Eastern mail with quite a company including A Mr Toban who had been shot on the road badly wounded but recovering apparently ar[r]ived at night ... Tuesday 24. The mail &c started on."[27]

In an 1886 deposition recalling what Tobin had told her of the ambush, Sarah Jane Miller recalled a "Mr. Smith" as one of the men in the party. Possibly Smith or Williams was the Irish servant who was with Peltro when he entered Salt Lake City.

[26] David Savage, "Biography of David Savage," *Daily Journal of Kingston United Order*, LDS Archives, among undated biographies following entry of December 1, 1878. Andrew Jenson, *Latter-Day Saint Biographical Encyclopedia: A compilation of biographical sketches of prominent men and women in the Church of Jesus Christ of Latter-day Saints*, 4 vols. (Salt Lake City: Andrew Jenson History Co., 1920) 3:417, notes that John Hunt "carried the mail from Los Angeles to Salt Lake City two years (1856 and 1857)." He later served for twelve years as sheriff of Beaver County, Utah, and for thirty-two years as bishop of Snowflake, Arizona.

[27] Lorenzo Brown Journal, February 20, 1857, L. Tom Perry Special Collections, Harold B. Lee Library, Brigham Young University. Las Vegas Mission, Record Book, February 23-24, 1857. LDS Archives.

As the mail party reached the California line and climbed the Cajon Pass, they encountered a snowstorm that detained them another day, delaying their entry into San Bernardino until 9:00 p.m., March 3, 1857. Tobin was carried to the house of Mormon Bishop William Crosby, where he finally received professional attention from Dr. Woodville M. Andrews, two weeks after being shot in the face. Peltro left immediately for Los Angeles where he would give a newspaper interview later that week, following which he disappeared from the known historical record. The further activities of Ambrose and Betts are likewise unknown.[28]

The saints at San Bernardino hardly knew what to make of Tobin's unexpected appearance there. The mission diarist, when recording the coming of the mail, omitted any reference to the wounded men accompanying the mail carrier. Reports soon circulated that Tobin had apostatized. Even his father-in-law Charles Rich questioned his fidelity, in a letter to Brigham Young downplaying the seriousness of Tobin's wounds: "Tobin is here in the city[. H]e reciev[e]d a small shot about the size of a buck shot in his noze by his right eye rangeing down toward the left Jaw[.] I think he will recover in a short time[. H]e speaks well of you and says he has not forsaken the church or Sarah Jane but I think different." Rich cited no reason for doubting Tobin's word. Perhaps he suspected that Tobin had fled Utah in response to the flames of the reformation, for he also noted:

> I feel glad that the time has nearly arrived when I shall [leave] for our mountain home, where it is so warm in the medle [middle] of winter that some folks cannot endure the climate[. T]his place will reap an abundant Harvest of the Class that cannot stand the warm weather in Salt Lake[.] I am Glad to hear of the Progress of the reformation in the mountains and Pray that it may continue till the last evil may be forever forsaken.[29]

Rumors that the attack had been prompted by Tobin's apostasy were soon circulating beyond San Bernardino. "There is some excitement below on the subject," wrote the mission diarist. "All Kinds of discouraging reports are raise[d]." Some were purportedly so convinced that Mormon assassins lurked nearby that they "rescued" Tobin from the home of Bishop Crosby: "To day a party of 4 Armed men came and took him to Los Angeles there being a report circulated desi[g]nedly that Porter Rockwell was in this vacinity and awaiting a chance to Kill Tobin." The diarist neglected to indicate whether Tobin went willingly.[30]

[28] San Bernardino Branch (California, 1851-1857), Journal, 1851-1857, March 3 and 24, 1857, LDS Archives. *Los Angeles Star*, March 7, 1857. Dr. Andrews was a member of the opposition (non-Mormon) party, a party "allmost exclusively composed of apostates." He spoke at their caucuses, "but was not as personal in his remarks" as others who "were vehement in their denunciation of Mormon rule." San Bernardino Branch Journal, April 25-26, May 3, 1856. No Peltro (or recognizable variant) appears in the 1860 census of California, nor in the earliest available Great Registers of California voters. Based on age and birthplace, Betts is evidently the T.W. Betts, miner, enumerated in the 1860 census at Placerville, El Dorado County, California; the miner John Ambros[e] who is enumerated at Mud Springs, El Dorado, California, is *not* the Ambrose of this story, and no more likely candidate has yet been identified.

[29] Charles C. Rich to Brigham Young, March 11, 1857, BYC.

[30] San Bernardino Branch Journal, March 24, 1857, LDS Archives.

Orrin Porter Rockwell was in fact hundreds of miles away from San Bernardino, as Brigham Young mentioned to Charles C. Rich early in March: "[W]e have sent out ... the March mail [to the States] under charge of O.P. Rockwell & others."[31]

Rockwell was not the only man to be suspected of the attempt on the lives of Tobin and his traveling companions. The Washington correspondent of the *New York Times* suggested that Colonel Robert T. Burton of the Nauvoo Legion was to blame; but since Burton lived in Salt Lake City with no responsibility for southern Utah, this charge is likely based on nothing more than the correspondent's awareness of Burton's military duties. Garland Hurt intimated that Brigham Young, Jr., was the assassin; this charge, too, is extremely unlikely if for no other reason than that it would have rendered letters to any of the central and southern Utah leaders unnecessary. John D. Lee purportedly accused southern Utah residents Joel White and John Willis of the crime; given the grossly inaccurate account of the ambush in his *Confessions*, no credence can be given to any of its details, including its accusation of White and Willis.[32]

Isaac C. Haight of Cedar City, writing in March 1857 to the *Western Standard*, the Mormon newspaper published at San Francisco by missionary George Q. Cannon, claimed that the attackers had been Indians. Reporting an expedition that he had made in the week following the ambush, Haight wrote,

> [W]e met some Indians who told us that some Americans had been fighting, and they saw one man that was shot in the forehead, and that there were some horses in the mountains; but the account was so vague I could pay no attention to it; however, when the mail came through from California, I learned that on the night of the 17th, a party composed of one Peltro, Tobin, a half breed Delaware Indian, and another man whose name I have not learned, were attacked, and Tobin was shot in the head, another had two of his fingers shot off, and they had lost their horses.
>
> When I heard this, I was of the opinion that the Mapache Indians had been the depredators and had got their horses. Those Indians had made a break on the Pah Utes, about five miles below where those men were attacked, on the night of the 16th, and took some cattle, etc. Brothers Covert and Riley, with their families, were coming from the Los Vegas at this time. The Mapaches came to them on the Rio Virgin and stole a cow, then followed them up to the Santa Clara to attack the Pah Utes and revenge the death of one of their men who had been killed some time before; but brother Hamblin took the Pah Utes into the Fort and disappointed the Mapaches, and they probably came across this party, and being mad, made an attack on them, took their horses and then fled. Brother Jones and company came in last night, bringing two saddles they bought of the Indians.[33]

[31] Brigham Young to Charles C. Rich, March 5, 1857, BYC.

[32] *New York Times*, June 11, 1857. Garland Hurt to Jacob Forney, December 4, 1858, in *Message* ... Lee, *Mormonism Unveiled*, 273-74; however, the account here is inaccurate in ways unlikely to be the work of Lee – e.g., dating the Santa Clara ambush as following the Mountain Meadows massacre – and may be an example of the additions Lee's attorney/editor William Bishop is believed to have inserted into Lee's confessions.

[33] Isaac C. Haight to George Q. Cannon, March 6, 1857, in *Western Standard*, April 24, 1857. Haight

This story of a "Mapache" raid is unsupportable for any number of reasons: Peltro, eyewitness to the physical evidence of the ambush, was convinced that his attackers were white men. Returning missionaries William S. Covert and William Riley, whom Haight places on the Virgin River one or two days before the attack, had passed that area a full week earlier and cannot have played the role Haight assigns them. Even Haight was so unpersuaded by this tale that he did not mention it in a February 24, 1857, report to Brigham Young — an omission which, had Haight truly believed the story of predatory Indians, would be incomprehensible in view of Brigham Young's roles as superintendent of Indian affairs and as colonizer planning to send families to the area that season.[34]

Barring the disclosure of some as-yet-undiscovered record, it is not possible to identify individual gunmen involved in the Santa Clara ambush. The best testimony is that they were whites, not Indians; Brigham Young's letters of February 3 and 6, close monitoring of the party's southward progress, and the southern leadership's perception of a "crooking finger" all support a likely Mormon involvement in the ambush that is lacking for a random attack by any undocumented group of non-Mormon gunmen who might be imagined to have been coincidentally in the area for some unknown reason. Haight's unconvincing attempt to credit the ambush to a mysterious party of marauding Indians, present-day knowledge of his later involvement with the Mountain Meadows massacre, and the location of the ambush within his jurisdiction suggest Haight's potential involvement. Haight, however, has an apparently unimpeachable alibi in the diary of Rachel Lee, wife of John D. Lee, who placed Haight in Harmony while the ambush was occurring on the Santa Clara.[35] Whether Dame or Haight, who each received the February 6 letter, directed others to carry out the ambush; whether one of them communicated the contents of the letter to others who chose independently to carry out the ambush; or whether gunmen went to the site through some other cause, simply cannot be determined at present.

News of the Santa Clara ambush was carried to California by the wounded men themselves, and to Salt Lake City by the mail carrier. By May 1857, it had reached the East. Tobin "had been a 'leetle' too deeply ini-

was also in possession of horses belonging to the ambushed party, which Brigham Young directed to be forwarded to Tobin and Peltro in California. Brigham Young to Isaac C. Haight, April 4, 1857, BYC.

[34] Isaac C. Haight to Brigham Young, February 24, 1857, BYC. Las Vegas Mission, Record Book, February 2 and 18, 1857. Brown, Journal, February 18-28, 1857. The southbound mail passed the ambush site on February 19, and reached Las Vegas on February 23, requiring five days to travel from Tobin Wash to Las Vegas. Covert and Riley left Las Vegas at noon on February 2. Asuming they traveled at the same rate as the mail carrier – and there is no reason to suppose that men traveling with families and without heavy freight would have lingered on the deserts – they should have reached the ambush site by about February 7. Even Nathaniel V. Jones and Lorenzo Brown, who left Las Vegas on February 18, with teams that were "very heavy loaded & badly jaded," who lost time to strayed stock and the request of an Indian band to help bury dead children, "passed ... the place where Tobin was wounded" in only ten days.

[35] Rachel A.W. Lee, Journal, February 18 and 23, 1857. LDS Archives.

UTAH STATE HISTORICAL SOCIETY

Charles C. Rich, John Tobin's father-in-law.

tiated into the mysteries of Mormonism to be permitted to leave the country," New Yorkers were informed. Ohio readers learned that Tobin and Peltro "were well apprised of the aims and secrets of the Mormons, and therefore too dangerous to be allowed to emigrate." A Washington correspondent announced that someone "had been obliged to flee [from Utah] to save himself from the penalty consequent upon overhearing Brigham's order ... for the massacre of Tobin Peltro and party." The story was still current the following February when a correspondent for the *New York Times*, waiting out the winter with the U.S. Army near Fort Bridger in the midst of the Utah War, identified Tobin as "an apostate Mormon" and hinted that Brigham Young, Jr., was responsible for the ambush.[36]

Belying reports that Tobin's departure from Salt Lake City had been prompted by apostasy, and that his removal from San Bernardino had been motivated by an ongoing threat of Mormon assassination therefor, Tobin, clearly unafraid for his life, returned to Salt Lake City early in 1858. He had missed the September 1857 birth of his daughter Ella, but otherwise, Tobin resumed his life in Utah where he had left it. He assured Brigham Young that his feelings toward all the Young family were "those inspired by the kindness, and care shown by you, and yours," and flatly contradicted being the source of vile slander of Alice Young that had appeared in John Hyde's 1857 book about the Mormons.[37]

By the fall of 1858, Tobin had leased property on the east side of Salt Lake City's Main Street, where he opened a saloon. His trafficking in liquor

[36] *New York Times*, May 20, 1857. *Jeffersonian Democrat*, June 3, 1857. *New York Times*, June 11, 1857, and February 4, 1858.

[37] Tobin had re-enlisted at San Francisco May 1, 1857, but was discharged October 31, 1857, due to physical disability. Tobin spent virtually his entire second enlistment in the military hospital at Fort Tejon, California, recovering from "wounds received prior to his enlistment[;] he has lost the sight of his left eye, & his right eye is materially affected," Certificate of Disability for Discharge, Pension File. John Tobin to Brigham Young, July 19, 1858, BYC. Hyde, *Mormonism*, 106-7, claims that Tobin refused to marry Alice Young upon "the most convincing proof that Miss Young had sacrificed her honor," citing Tobin as his source. Tobin insisted that he had met Hyde briefly only once in his life, and had not slandered Alice Young. John Tobin to Brigham Young, July 19, 1858, BYC.

did not bar him from access to Mormon leadership, however; Daniel H. Wells, Lieutenant General of the Nauvoo Legion and successor to Jedediah M. Grant in the church's First Presidency, recommended his Legion officers to "embrace the opportunity ... to qualify themselves for duty [offered by] Lt. John Tobin of the Lancers," who had "opened a school in this city for instruction in various branches of Cavalry manoeuvering, including the sabre drill." To improve his impaired eyesight and remove the slug he still carried in his cheekbone, Tobin underwent an operation; surgery was unsuccessful on both counts, but his eyes, which had become crossed following his injury, gradually assumed a more normal appearance. Tobin lived with his wife and daughter, filled his civil responsibilities, and conducted business. In all ways he appears to have created a place for himself in Utah with no social consequences for having left Utah in 1857, nor any concern for his safety.[38]

That Tobin was still nominally associated with Mormonism is demonstrated by his call as a missionary to Scotland in 1860 under the presidency of Apostles Amasa M. Lyman and Charles C. Rich. From the beginning, Tobin's missionary conduct was appalling. He was so drunk on the morning of their departure that the missionary party left Salt Lake City without him. The hapless Tobin caught up with them the next day, just in time to meet Brigham Young returning from an inspection of his canyon mill. "[H]e had been informed of the drunken[n]ess of Tobin of the day previous and said he had no use for such men as missionaries ... [Tobin] came and talked with Prest Young and beg[g]ed the privilige of stil[l] going and proveing in doing so that he loved the truth and the Saints. ... [T]he Prest yielded to his entreaty." Tobin was appointed the company's sergeant of the guard but was soon replaced, "having resigned in consequence of some finding fault." Upon arrival in Britain, he complained that "the climate of Scotland is to[o] damp & cold" and that "the old *wound* troubles him very much." Lyman noted that after a year in the mission, "Tobin never in one single instance has asked for any information in reference to the principles of the gospel of which he was most profoundly ignorent."[39]

[38] "Articles of Agreement with Hamilton Stuart," November 29, 1858; copy in the personal files of W. Randall Dixon, Salt Lake City. "Head Quarters, Nauvoo Legion," in *Journal History,* December 15, 1858. Tobin never rose above the rank of sergeant in the U.S. Army; whether the title of lieutenant was honorary or refers to a position in the Nauvoo Legion is unknown. Tobin, Sarah Jane and Ella are enumerated together in Salt Lake City's Nineteenth Ward, 1860 census. Tobin served as a juror in August 1859, *Deseret News*, August 30, 1859. He won permission from the City Council to develop a bathhouse at city-owned Warm Springs, City Council Minutes, July 4, 15, and 22, 1859; *Mountaineer*, September 3, 1859. He prosecuted and defended eviction cases, Salt Lake County Probate Court, Case Files, Utah State Archives, Series 373. Tobin was less than honest in business dealings with clerk/reporter George D. Watt from whom he leased property, George D. Watt to Brigham Young, draft, ca. 1864, George D. Watt Collection, LDS Archives. Several affidavits and depositions in his pension file detail Tobin's medical treatments.

[39] Amasa M. Lyman, Diary, July 23, 1863, Amasa M. Lyman Collection, LDS Archives. John Brown. Journal, in *Journal History*, June 7, 1860. Nathaniel V. Jones to Amasa M. Lyman, October 17, 1860, Amasa M. Lyman Collection. Tobin did participate in some missionary activity. For example, Duncan McNeil McAllister was "ordained to the office of Priest, by Elder John Tobin, December 9, 1860," *LDS Biographical Encyclopedia*, 1:651.

Complaints about Tobin's behavior in July 1861 called Lyman and Rich to Glasgow, while George Q. Cannon went to Edinburgh to investigate there. Tobin freely admitted his habitual drunkenness, and reluctantly admitted adultery with a convert and soliciting a prostitute. Witnesses were found who testified to other acts of misbehavior. "[W]e then cut Elder John Tobin off the Church," wrote Rich. The excommunication was announced to the Glasgow saints, and Tobin "stated to the meeting that we had acted to him in a most uncharitable and cruel manner in his excommunication." The apostles responded with "some plain statements in refference to the circumstances." Recorded Rich that evening, "to Day has been a Day of sorrow to me ... I now Pray God to Deliver my Daughter Sarah Jane from his corrupt Grasph." When Tobin appeared for a walk with Rich the next morning, Rich noted, "I Don't think he feels half as Bad as I Do."[40]

Rich was probably right. Tobin wrote to Sarah Jane on the day of his walk with Rich, accepting little responsibility for his actions but expressing unbounded confidence in the goodwill of Brigham Young:

> I must break the melancholy intelligence by at once and without prevarication tell[ing] you that I have been *"cut-off"*. For months I have been persecuted by the District President (Stuart) The entire affair has been a conspiracy – and has been concocted by Teasdale, Harrison & Stuart. Amasa would not hear my evidence (witnesses) He took the statements of women who are well known prostitutes – I gave way to Liquor under my exasperated wrongs acknowledged my fault *for Drinking* and appealed for Mercy but the charity of the Presidency was closed ...
>
> Sarah Jane when I think of *the President* and his *former love, and kindness* to me, and feel that my *enemies* will cause him to blast from him any hope of *forgiveness* for me, *the grave* would be more welcome to me than life ... I would like you to see Bro Brigham – he is full of mercy if others are not, and say to him that I am doing as well as I know how.[41]

Brigham Young's response to the news of Tobin's excommunication was blunt: "[P]ublish him in the 'Star' as cut off from the church, for what he was cut off, and forbid any Elder in the Church of Jesus Christ of Latter-day Saints baptizing him, until he makes satisfaction."[42]

Rich wrote to Sarah Jane, "adviseing her to leave him as he had committed Adultery," advice she followed immediately. Her petition for divorce was filed on September 3, 1861, and granted on September 14. Judge Elias Smith awarded custody of her daughter and some property to Sarah Jane and ordered the remainder of Tobin's Utah property placed in the hands of a receiver for the child's support. Clear title to that remaining property passed to the Rich family in 1863 when Charles C. Rich foreclosed a mortgage Tobin had executed before his mission.[43]

[40] Charles C. Rich Diary, July 16-24, 1861. Amasa M. Lyman Diary, July 17-26, 1861. Amasa M. Lyman to George A. Smith, July 30, 1861, George A. Smith Papers, LDS Archives.

[41] John Tobin to Sarah Jane Tobin, July 24, 1861, Charles C. Rich Collection.

[42] Brigham Young to Amasa M. Lyman and Charles C. Rich, August 25, 1861, BYC. A notice had already been published in the *Millennial Star* of August 10, 1861, 508.

[43] Charles C. Rich Diary, July 26, 1861, Charles C. Rich Collection. Salt Lake County Probate Court, Case Files, "Sarah Jane Tobin vs. John Tobin." Utah State Archives, Series 373. Minute Entry, May 9, 1863,

Tobin did not return to Utah. He spent the Civil War years in New York and South Carolina as a civilian employee of the Quartermaster's Department. In 1862 he entered a common law marriage after his bride's priest learned of the earlier divorce and refused to marry them. The couple moved to St. Louis, where Tobin, by then virtually blind, called on military contacts for appointment as watchman in the post office building. Tobin abandoned his second wife on the eve of their sixth child's birth in 1873 and moved to Springfield, Illinois; there he married a third time and fathered two more children.

Tobin's history for this period reveals conflicting approaches to his Mormon past. On the one hand, he wrote to Brigham Young in 1868 seeking reconciliation; Brigham Young invited Tobin to contact the Mormon elder in St. Louis for counsel, advice Tobin did not follow. On the other hand, Tobin did not tell his second wife about his Mormon career; to her he characterized his presence in Utah as a military assignment, and his time in Europe as "traveling for his health." He owned a copy of Hyde's 1857 book from which his wife repeatedly read to him the account of his Santa Clara ambush.[44]

John D. Lee was arrested in November 1874 to be tried for the 1857 massacre at Mountain Meadows. The sensation that followed proved a boon to John Tobin. Billed as "an Irish patriot and gallant American soldier," he gave interviews and lectures. Omitting any mention of his own Mormon ties, Tobin invented a mythical and anachronistic career: he had fled Ireland after participating in a failed republican revolution in 1848; having survived the Gunnison massacre, he was refused shelter and forced to winter outside Salt Lake City; learning of a massacre in progress at Mountain Meadows, he had led a cavalry charge to the rescue, arriving moments too late to save the emigrants. Recognizing superior military gifts following Tobin's heroic rescue of the handcart pioneers, Brigham Young had appointed him "instructor general" of all the Utah militias, honoring Tobin with a bedchamber next to the prophet's own, from which vantage point Tobin overheard innumerable dark plots. Volunteering to lead a party of gentiles out of the Territory, Tobin was tracked to the Santa Clara by Mormon assassins fearful of the secrets he carried; his companions had been murdered in the effort to silence Tobin.

In the midst of his celebrity, Tobin wrote repeatedly to Brigham Young, demanding the restoration of property "stolen" by Charles C. Rich. He threatened lawsuits and exposure of unspecified Mormon crime should his demands be refused, threats he renewed in 1882 to Brigham Young's successor, John Taylor.[45]

Pension File. Sarah Jane was not long single; she married Salt Lake City mining speculator Thomas Rudolph Miller on December 21, 1861.

[44] Pension File. Brigham Young to John Tobin, September 29, 1868, BYC.

[45] *Daily Alta California*, March 3, and 13, 1875. *Salt Lake Tribune*, November 12, 1875, July 17, 1877. *New York Tribune*, July 13, 1877, *New York Times*, July 13 and 15, 1877, January 13, 1888, (in which Tobin claimed eighty acres in downtown Salt Lake City, valued at one million dollars exclusive of improvements). Brigham Young to John Tobin, September 29, 1868; John Tobin to Brigham Young, April 15 and 26, 1875, May 11and 15, 1875; John Tobin to Daniel H. Wells, October 28, 1875, BYC. John Tobin to John Taylor, January 29, 1882, John Taylor Papers, LDS Archives.

In 1879 Tobin petitioned for a military pension on the grounds of his blindness. To qualify, he had to demonstrate that his disability was service-related — an almost impossible task after years of very public claims to being the victim of attempted Mormon assassination. The pension board interviewed witnesses throughout the country, including those Ella Tobin located in Utah in an effort to help the father she had never known. Tobin's application was repeatedly denied as having "not a shadow of merit." Then, abruptly, his pension was granted in March 1889, based on vague "new medical evidence." In light of overwhelming documentation to the contrary, and in view of Tobin's renewed lecturing about the ambush when his pension appeared hopeless, it seems likely that he was rewarded for being the presumed victim of Mormon violence during the height of anti-Mormon sentiment and legislation.[46]

Tobin did not long enjoy his hard-won pension; he died of a stroke on September 12, 1889.

The American public readily numbered the Santa Clara ambush among Mormon crimes, never doubting that John Tobin was its target. Tobin's return to Utah within the year, however, convincingly demonstrates that he did not consider his life in danger at the hands of his fellow Mormons. Historians have repeated the 1857 assertions without explaining Tobin's puzzling return, and without suggesting a motive beyond Tobin's presumed apostasy. That motive does not survive an examination of the evidence: although his faithfulness to church and wife ultimately failed, his 1858 return to both disproves abandonment at that date.

Evidence that the California-bound travelers were watched because Ambrose and Betts were among them makes the attack on Tobin one of mistaken identity. That evidence is compelling: Brigham Young wrote letters on two occasions to six leaders warning of the drifters' presence and dictating a course of action. Officials along the route acknowledged those instructions and acted on them. While there can be no conclusive identification of individual gunmen, Mormon involvement in the ambush is credible when Ambrose and Betts, not Tobin, are identified as the target. Only an unexpected division of the California-bound party spared Ambrose and Betts. Only the merest luck spared the lives of the Tobin party under fierce and indiscriminate gunfire; clearly their attackers meant to kill them all, taking no prisoners and leaving no witnesses.

The Santa Clara ambush was not what Brigham Young intended, in that it was not two backsliding felons who were attacked in the dark. But the ambush was the result of events he set in motion. He directed subordinates to take extra-legal action under specified conditions, knowing that innocents might suffer with the guilty because no "tale bearers" were to be spared. If he did not intend Dame and Haight to read his instructions as they have been interpreted here, that reading is justified by the indirect

[46] Pension File. *Mobile* (Georgia) *Register*, February 25, 1887.

phrasing of his letters. If residents of southern Utah went beyond the mark in implementing his instructions, no effective chastisement occurred. All of the men to whom letters were sent retained their church, civil, and military positions as though nothing untoward had happened.

But something untoward *had* happened, with repercussions beyond the injuries and losses to Tobin and his companions. News of the attack spread quickly through the nation, heightening tensions on the eve of the Utah War. When the wounded victims were carried to San Bernardino, rumors flared that endangered the lives of Mormons living there. Lack of accountability following the Santa Clara ambush did nothing to allay a local impression that violence was a suitable response to perceived threat, an impression, which seemingly played a role at Mountain Meadows later that year. Most chilling to contemplate, survival of the Santa Clara victims and their public exposure of the attack may have strengthened a determination at Mountain Meadows to spare no competent witnesses.

An examination of *what* happened does not adequately explain *why* it happened. Why did Brigham Young issue his directives of February 3 and 6, 1857? Certainly Ambrose and Betts were undesirables who had been expensive visitors for Utah to host. But Utah had law enforcement officers, functioning courts, and jail facilities — all demonstrated by the handling of the felons' November offenses — without need of extra-legal activity.

Perhaps the answer lies in the fires of the reformation, burning their hottest through all the months Ambrose and Betts were in Utah. Communities and personal lives were to be set in order. Confession and restitution would bring forgiveness. In a sense, Ambrose and Betts had confessed their sins at trial: they were convicted in part "from their own statements and admissions." They had made token restitution by their prison term and the confiscation of their property. They had received a measure of mercy in unexpectedly light sentences. So long as they did not repeat their crimes, they were to be free of further interference. But if they fell into old habits, they would "inherit sorrow" and "not get off as easily" as before. Had Ambrose and Betts indulged in further theft, their case would have so closely paralleled the backsliding condemned in countless reformation sermons that the instructions to "pursue, retake & punish" can be seen as implementing the penalty prescribed in those same sermons.[47]

Such reasoning, incompatible with mainstream American philosophy, was

[47] This pattern was repeated in 1858 during the Utah War. A company of undesirables (army deserters, former civilian teamsters, and stranded emigrants) had wintered in northern Utah and was to be sent to California in the spring. Brigham Young directed a military leader to watch the company, guard against theft, escort them so far on the road that they could not return to steal from the settlements, "and warn all such parties that the discovery of thefts committed by them upon our people will be the signal of their destruction." Brigham Young to Chauncey W. West, March 12, 1858, Nauvoo Legion (Utah), Adjutant General, Record 1851-1870, 256, LDS Archives. As with Ambrose and Betts, these persons had made themselves unwelcome; had received mercy (winter hospitality); could proceed peaceably so long as no crimes were committed; but were to be destroyed if they abused the people among whom they passed. No harm is known to have come to this party; several members appear on the 1860 census of California.

consistent and justified within the heterodoxy of nineteenth century Mormonism — a theocratic world view shared by a people separate and apart from the nation around them, deriving its law from sources greatly at variance with that nation's Protestant rationalism. The order to "pursue, retake & punish" admittedly violated the form of American law, but shared its spirit insofar as punishment was to be implemented only after guilt was ascertained. Theocracy, however, deteriorated to fanaticism on the Santa Clara that night, punishment being visited on the demonstrably innocent, absent evidence that anyone at all was guilty. Failure to hold anyone responsible for the Santa Clara ambush foreshadowed the silence to follow the Potter-Parrish murders in Springville the next month, the massacre at Mountain Meadows in September, the October bludgeoning death of Richard Yates in Echo Canyon, the murders of the Aiken party near Nephi in November — a catalog of bloodshed without accountability in the surreal year of 1857.

As John Tobin, John Peltro, and their companions made camp by the Santa Clara on February 17, Jack Baker, Alexander Fancher, and their families prepared in Harrison County, Arkansas, for their California emigration that summer. They would retrace the road taken by the February party, through the same communities governed by the same bishops and Nauvoo Legion officers. Their journey would end at Mountain Meadows, a few miles short of the Santa Clara on September 11, 1857.

In Memoriam
HELEN ZEESE PAPANIKOLAS
1917 – 2004

Helen Zeese Papanikolas excelled as a historian, researcher and writer, mentor, humanitarian, colleague, and friend. Helen skillfully and meticulously chronicled the everyday lives of all Utah's peoples. She wrote of diverse lives in diverse ways — sound documented history, engaging and touching oral interviews, insightful and entertaining fiction, and through using historical artifacts. Helen's career and life has touched people in numerous ways.

Her life work of detailing the history of Utah's ethnic peoples began with her own quest for identity and place in history. Helen was born on June 29, 1917, in the tiny town of Cameron, near Helper in Carbon County, to Greek immigrants Emily Papachristros and George Zeese. She grew up to the rhythms and tones of Greek culture and tradition in a community of many cultures and nationalities.

This diverse ethnic milieu molded keen sensitivities, the astute ability of observation, and an understanding of humanity that highlighted Helen's career as a historian. She often described her childhood as "torn between two cultures;" a term she applied to the multitude of other second-genera-

tion immigrants. As a young girl, Helen felt alienated from many of her age while attending the mandatory Greek school after her daily attendance at public school. Helen's insights and remarkable ability to tell a story gave life to her history, having witnessed the great coal strike of 1922, the activity of the Ku Klux Klan, and other events in Utah. These formative years melded Helen the historian to the entire fabric of her surroundings. Helen Papanikolas observed, lived, and absorbed the realities of immigrants and other ethnic peoples attempting to survive in a different land.

As the Zeese family captured the success immigrants sought in America, Helen's world moved to Salt Lake City, where the family clung to their Greek roots. In the 1930s Helen attended East High School, then the University of Utah. Her aspiration, based on influential coal camp doctors of Carbon County, centered on the medical profession. Encouraged to pursue a career of writing, she rose to editor of *Pen*, the University of Utah's literary magazine; she opted to pursue her medical dream, graduating from the university in 1939 with a degree in bacteriology.

On January 26, 1941, Helen Zeese and Nick E. Papanikolas married. They were blessed with two children, Zeese and Thalia. Nick was a strong supporter of Helen's historic endeavors.

An article in the *Utah Humanities Review* paved the way for Helen as a fiction writer, but fiction took a back seat to the writing of history — a history allowing her to find herself in a place and time of world change. In 1954 she authored the groundbreaking "The Greeks of Carbon County" published in the *Utah Historical Quarterly*. The Quarterly served as an excellent springboard for Helen as an historian. In 1965, "Life and Labor Among the Immigrants of Bingham Canyon" appeared, and demonstrated Helen's sensitivity to different immigrant groups. In a time when Utah history remained relatively rigid, she mixed and mingled with a cadre of historians at the Utah State Historical Society and a new history emerged.

"Toil and Rage in a New Land: The Greek Immigrants in Utah," appeared in 1970 as the spring issue of the *Utah Historical Quarterly*. This insightful work, a product of probing research and excellent use of oral history, caught the imagination of young Utah historians, changing their directions and welding new careers. This writer sat near the pen of Mrs. Papanikolas, learning and absorbing the craft of researching and writing the ethnic and immigration history of Utah. Her career has impacted many others as the researcher and writer began to emerge as mentor.

One of her crowning legacies remains her coordination and editing of *The Peoples of Utah*, published by the Utah State Historical Society as part of the United States Bicentennial celebration in 1976. Helen sculpted, steered, and encouraged this work to prominence. To many the publication remains the best overall work on Utah's ethnic peoples. *The Peoples of Utah* provided Helen a means for involving "young and upcoming" Utah historians of ethnic background in the project and gaining for them a valuable publication on topics heretofore virtually unknown in Utah history. The

decade of the 1970s found Helen Papanikolas as the authoritative historian in Utah's ethnic and cultural history. She launched a very popular course, Peoples of Utah, at the University of Utah through the Ethnic Studies Program.

In 1982 the Utah State Historical Society opened the "Greeks of Utah" exhibit. Helen single-handily identified and collected invaluable artifacts that form the essence of the Greek experience in Utah and throughout the American West. This remarkable collection forms the basis for the Hellenic Cultural Museum. In 1987 she wrote a moving history of her parents entitled: *Emily-George*. Historians have labeled this work as "evocative and powerful." A striking feature of Helen's works centered on their ability to touch many ethnic experiences, not just those of Greeks.

As a seasoned writer, storyteller, and teacher, Helen returned to her love of fiction. In the 1990s she authored three important works: *Small Bird Tell Me*, *The Apple Falls from the Apple Tree*, and *The Time of the Little Black Bird*. These stories probed the intricacies of culture and ethnicity, giving birth to a myriad of characters who displayed real life feelings and complexities. Helen, through history and fiction, breathed life into immigrant and ethnic cultures.

Helen served the history profession and cultural communities in many capacities: a member of the Board of State History, a board member of the Utah Humanities Council, and President of the Peoples of Utah Institute. Helen and Nick contributed to scholarship programs for ethnic students, and assisted struggling students doing research on ethnic themes. Nick and Helen often invited young scholars to their home where she mentored them in Utah and the American West ethnic history.

Helen has received numerous accolades from institutions and organizations nation-wide for her work. She is a Fellow of the Utah State Historical Society; received the Utah Governor's Award in the Humanities and the Archbishop of the America Iakovos Saint Paul Medal; honored by the National Conference of Christians and Jews, Utah Chapter, the American Association for State and Local History; and in 1984 became an Honorary Doctor of Humane Letters from the University of Utah, where she delivered the commencement address. In 2003 one entire eighteen-article issue of the *Journal of the Hellenic Diaspora* was entitled "An Homage to Helen Papanikolas."

Helen Zeese Papanikolas died on October 31, 2004, having left Utah and the world in general a better place with a deeper understanding of the Greek immigrant experience as well as other immigrants' experiences. Her influence on the Utah State Historical Society, Utah history, and those involved in the search for the historical past will be an enduring legacy.

Philip F. Notarianni
Utah State Historical Society

BOOK REVIEWS

"The Utes Must Go!": American Expansion and the Removal of a People

By Peter R. Decker (Golden, CO: Fulcrum Publishing, 2004. xix + 235 pp.

Cloth, $28.95, paper, $17.95.)

THE HISTORY OF THE UTE INDIANS who were transferred from Colorado to Utah in the 1880s is hardly known in our literature. Their expulsion from their homes at gunpoint is a forlorn saga.

In this work, Peter Decker not only tells of the expulsion, but gives us in great detail the incidents leading to the tragedy. The book is a clear-eyed view of American Indian policy as well as the facts and details of the local scene in Colorado. Nathan Meeker, the new agent, was utopian and myopic. He had failed in many arenas before he was hired as an agent for the Utes of northwestern Colorado. He came to the job because of his ability to write, his association with powerful politicians, and his desperate need for money to pay debts incurred in a scheme at Greeley, Colorado.

Meeker's relationship with the Utes was a disaster almost from the beginning. His confident attitude that the Utes could and would change lifestyles led to inevitable conflict. The Utes were threatened; they in turn threatened Meeker who then called for military support. An army detachment from Ft. Fred Steele in Wyoming was sent to quiet the alarm. This group, under Major Thomas Thornburg, was met and defeated by the Utes. Meeker and seven other men were killed and the women and children captured. Before a larger force could be used against the Utes, a peace was negotiated with the assistance of Ouray, a leader of the Uncompahgre Ute band to the south.

Prior to Colorado statehood in 1876, there was already a cry to expel the Utes. The tribe's ownership of mineral and agricultural lands was a temptation the boomers and promoters could not resist. Following statehood, the press, politicians, miners, and others began their drumbeat for removal. The so-called "Meeker Massacre" was precisely the impetus required and it was exploited relentlessly in Colorado and the national press.

The subsequent negotiation between the tribe and the federal government demonstrates that United States policy makers intended the reservations to be temporary entities. Even the trip to Washington DC by the Ute leaders was meant more to show the power of the United States government than to deal on an equitable basis. Further, the federal government no longer made treaties with the tribes; agreements were easier to break, dissolve, or ignore. The Uncompahgres, guiltless in the Meeker affair, were also to be forced from the state.

The Secretary of the Interior, Carl Schurz, urged a system of land allotment, but with the powerful senator from Colorado, Henry Teller, the Utes had little chance. The Agreement of 1880 was written and interpreted in such a way that the Utes failed to grasp the implications that the Agreement would allow the federal government to remove them. To achieve ratification, the Utes were bribed by

Otto Mears, a railroad developer. The Utes accepted the bribes, saying that silver in hand was worth more than the government's promise. The federal government reimbursed Mears for the bribes.

Ouray died, Sappovonare, who replaced him, said the band would not move. They would "as soon die as go to Utah…and starve."

The Secretaries of Interior and War were notified and gave permission to use force if necessary. Colonel Ranald S. Mackenzie, who had crushed the Indians in Texas, was put in command. His message to the Utes, "If you will not go of your own accord, I will make you go." With the reinforced U.S. Army facing them, they had no options. The Utes of the White River band were forced onto land already given to the Uintah band in northeastern Utah. The Uncompahgres were given an adjoining reservation which was desolate beyond belief.

Peter R. Decker has provided a book which displays mature judgment, in depth research, and excellent writing style. The book is a permanent and welcome addition to the field of American Indian history.

FLOYD A. O'NEIL
University of Utah

The Not So Wild, Wild West: Property Rights on the Frontier

By Terry L. Anderson and Peter J. Hill (Palo Alto: Stanford University Press, 2004.

xii + 263 pp. Cloth, $24.95.)

THIS BOOK COULD HAVE BEEN ENTITLED, "Debunking Myths about the American West." Each chapter examines traditional frontier icons through an economist's eyes including: cowboys, Indians, traders, trappers, pioneers, miners, wagon trains, beaver, buffalo, cattle, sheep, homesteading, and irrigation. A constant theme is the "tragedy of the commons" defined as what occurs when there are no limits on access to a resource, with the result that the resource is overused. The value attached to resources is called "rent" by the authors. The history of the west is analyzed to see how the various actors used the concept of "rent" to deal with the potential "tragedy of the commons." As implied by the book's title, the authors believe that "…institutional evolution trumped institutional revolution." The book concludes that, in most cases, "institutions" (defined as the rules that govern how people interact with one another) shaped by the actors themselves achieved better results than governmental processes or institutions.

A typical example of this analysis follows: "…both the intertribal wars and the Indian-white wars were rent seeking that resulted from incomplete property rights." The authors postulate that the Indians understood the importance of using rules in utilizing resources but only used the rules when necessary. When white settlers came on the scene severe conflicts resulted when both Indians and whites

failed to control their citizens. They state, "In short, the Indian wars stemmed in large part from a strong coalition of professional soldiers, politicians, suppliers and citizens."

The demise of the buffalo (bison) herds that covered the Great Plains is the result of economic forces. The authors set these parameters: no one could imagine the extermination of so many; they were difficult to control; they were even harder to transport alive to meat markets; and they competed with cattle that were much easier to handle. Their conclusion: "…a rapid and large reduction of the buffalo herds was probably inevitable given that it was less costly to market valuable grass through cattle rather than bison." While some people may question the result, open-range cattlemen are credited with moving millions of cattle onto the western plains and by utilizing "…an effective combination of private and communal rights produced beef for eastern markets."

There is a strong indictment of the Homestead Act that substituted congressional political forces for sound reasoning in attempting to allocate land in the West. The evidence presented clearly demonstrates that the number of acres available under the Act was insufficient in a water-scarce environment and the subsequent attempts to fix the law were not much better. The result was fraud, frustration, and disaster for the settlers. The relinquishment rate in many areas reached over 80 percent.

One important example of successful resource utilization cited is the experience of Mormon settlers with irrigation. Because of the cohesiveness and hierarchical structure of the Mormon community, the Mormon pioneers had five thousand acres of crops under irrigation within one year after their arrival in 1847 and one hundred fifty thousand acres by 1865. However, according to the authors, their success was mainly because "Irrigation activities were developed communally to capture economies of scale, but the land was owned privately to preserve production incentives."

The authors supplement the book nicely with pictures, quotations, and uncomplicated graphs and charts that are understandable even to non-economists. Despite my legal background, the clear explication of the development of water rights as between riparian and prior appropriation was insightful. While social costs may have not have been adequately considered, I give the book high marks for shedding new light on old paradigms and for accumulating solid evidence for an economic interpretation of western history. I believe that any student of the American West would benefit from reading this book.

GARY N. ANDERSON
Logan, Utah

Faithful Transgression in the American West: Six Twentieth-Century Mormon Women's Autobiographical Acts By Laura L. Bush (Logan: Utah State University Press, 2004. xvii + 244 pp. Paper, $23.95.)

FAITHFUL TRANSGRESSION IN THE AMERICAN WEST is a resonant literary concept, with provocative implications for any reader or writer of autobiography. Laura Bush defines it as "moments in the texts when each writer, explicitly or implicitly, commits herself in writing to trust her own ideas and authority over official religious authority while also conceiving of and depicting herself to be a 'faithful' member of the [LDS] church" (xvi). The tension between these two ideas--in literature as in life--sets up a dynamic that can be both painful and immensely energizing.

The six Mormon women in this literary analysis of their life writings are Mary Ann Hafen, *Recollections of a Handcart Pioneer of 1860: A Woman's Life on the Mormon Frontier*, Annie Clark Tanner, *A Mormon Mother*, Juanita Brooks, *Quicksand and Cactus: A Memoir of the Southern Mormon Frontier*, Wynetta Willis Martin, *Black Mormon Tells Her Story*, Terry Tempest Williams, *Refuge: An Unnatural History of Family and Place*, and Phyllis Barber, *How I Got Cultured: A Nevada Memoir.* Terming Hafen and Tanner "twentieth-century" women may be initially startling, since both of them seem firmly rooted in nineteenth-century events--the handcart trek of 1860, and plural marriage before the Manifesto. Technically, however, they meet Bush's criteria because these accounts were composed and published in the twentieth century.

Bush's personal preface explains that she embarked on her career as a faculty member and "feminist literary critic" at Ricks College (now Brigham Young University-Idaho) considering herself thoroughly Mormon only to encounter "suspicions and surveillance." She gradually realized that her record of personal faithfulness and professional excellence "did not mean that I could not or would not be sacrificed if I didn't stay within the boundaries set by church authorities. Sometimes I did and other times I did not know what those boundaries were" (xv). Thus, she became sensitized to the same tensions at work in the life-writings of other Mormon women.

A helpful introduction identifies five conventions of Mormon autobiography: (1) to testify of Mormonism's truthfulness, (2) to establish the writer's "authority" to explain "various Mormon doctrines," (3) to "document . . . [their] cultural heritage," (4) to "defend their religion or membership," and (5) for an audience that also includes non-Mormons.

Using these criteria, Bush identifies how Mary Ann Hafen, for example, uses "we" much oftener than "I" because she is consciously speaking for her people in explaining "the communal nature of her life experience" to "multiple audiences" (30). The narrative is largely composed of faith-promoting episodes but Hafen "transgresses" this serious and affirmative approach when describing how her beloved first husband was killed within a week of the marriage. Autobiographi-

cally, she "questioned her parents and unnamed 'authorities' who prompted her" into a hasty and undesired second marriage to an emotionally distant man to whom she bore seven children (48).

Another example of "transgression" is the tension in Phyllis Barber's memoir of her girlhood between simultaneously embodying "sexual purity, from her Mormon culture, and . . . sex appeal," as taught by the Las Vegas Rhythmettes' rigorous training in dance, charm, and stage presence (176).

The least known of Bush's six subjects is Wynetta Willis Martin, who wrote her autobiography as a black woman who became a Mormon before the 1978 rescinding of the long-standing policy against ordaining African men to the LDS priesthood. Martin wrote her personal narrative largely to explain to her parents why she would join a church that did not allow men of her race (or women of any color) to become full members. She also writes to a Mormon audience, paralleling the powerful spiritual experience that confirmed her choice of Mormonism with Joseph Smith's first vision. However, the publisher added a concluding essay that Bush terms "an illogical and non-authoritative explanation about the discriminatory policy against black members" and introduced Martin's text with an endorsement by Ogden's white Mormon mayor (136). These two pieces "problematically frame Martin's narrative about her conversion. Thus, taken as a whole, the book denies Mormon race prejudice, illustrates it, and also attempts to justify it" (138).

Bush's genre-spanning work introduces neighbors in Mormon cultural studies who should be better known to each other. Historians have long known and prized Hafen, Tanner, and Brooks. Those interested in Mormon literature have cherished and enjoyed Williams and Barber. In addition to the crossover effect from putting these women between the same covers, both groups will benefit from the introduction to Martin's obscure autobiography. Bush models an impressive ability to read historical texts closely and carefully, identifying tone, rhetorical strategies, the use of imagery, and the creation of selves--skills that would benefit any historian or reader of history.

LAVINA FIELDING ANDERSON
Salt Lake City, Utah

How the Vote Was Won: Woman Suffrage in the Western United States, 1868-1914 By Rebecca J. Mead (New York: New York University Press, 2004. x + 273 pp. $40.00.)

PERHAPS THE MOST INTERESTING anomaly in the history of the American West is the progressive attitude territorial legislatures took toward woman suffrage. In fact, by 1914, female citizens could vote in almost every western state and territory. Yet, the patterns which led to this interesting phenomenon

and a convincing explanation of motivations and a full understanding of the political context has been slow in coming. Rebecca J. Mead's book, *How the Vote Was Won: Woman Suffrage in the Western United States, 1868-1914*, seeks to fill in the gap. It is Mead's thesis that, "western precocity" resulted from "unsettled" regional politics, complicated by complex western race relations, partnerships for reform between suffragists and farmer-labor-progressives, and finally, the fine efforts of western activist women that made the difference.

She argues that the final generation of activists learned from the efforts of their predecessors and refined their political arguments and techniques to invigorate the suffrage movement, at the same time they ameliorated tensions between social classes. Their argument, which placed greater importance on both political and economic justice for women, and shifted the emphasis from prohibition "persuaded increasing numbers of wary urban voters, and weakened the negative influence of large cities." "Thus," Mead writes, "understanding woman suffrage in the West reintegrates this important region into national suffrage history and helps explain the ultimate success of this radical reform" (1).

Mead accomplishes this ambitious series of objectives by analyzing three phases that played out in the west in the campaign for female suffrage: the "fluid" frontier period (which includes both Wyoming and Utah embedding female suffrage first in territorial law and then in state constitutions), during which voting rights became hotly contested political issues each time a territory went up for statehood. Moreover, she places Utah's enfranchisement story in the context of Reconstruction, and territorial and statehood politics, a shift which sheds new light on what has traditionally been described as a religious debate. Toward the end of the century, the second phase paralleled the Populist push for reform in Colorado and Idaho but marred by "internal ambivalence" was less successful in other states. The author demonstrates how suffrage became tangled with ideas about fundamental rights of citizenship, the Fourteenth Amendment, and natural rights. Finally, Progressivism brought female suffrage to the attention of voters in Washington State, California, and other western states such as Arizona, Alaska, Oregon, Montana, and Nevada.

For Mead, women's suffrage required radical politics because it demanded fundamental changes in the ways men and women related to government. She points to the way the vote challenged the long history of femme covert, giving women instead an independent political identity. Suffrage also engendered the support of those who were already radical in the context of two party politics and those critical of the existing social and political order.

Moving beyond the traditional emphasis on the work of radical women to include the larger political and social context, Mead's book makes a strong contribution to our understanding of our history of nineteenth century women, western United States politics, and issues of gender and law.

MARTHA SONNTAG BRADLEY
University of Utah

Cataract Canyon: A Human and Environmental History of the Rivers in Canyonlands By Robert H. Webb, Jayne Belnap, and John S. Weisheit (Salt Lake City: University of Utah Press, 2004. xii + 268 pp. Paper, $26.95.)

THE TITLE OF THIS INVALUABLE ADDITION to the literature of the Colorado River indicates a basic confusion on the part of its authors as to just what the book is about, indicating as it does that "Cataract Canyon" and "the rivers in canyonlands" are synonymous. Part-but only part-of the confusion is resolved when we learn that "canyonlands" to them means only Canyonlands National Park, but the mystery remains when we see that the purview of the book includes over two hundred miles of river, from Green River and Moab to the Hite Marina, of which Cataract Canyon includes only some seventeen miles of fast water. This turns out to be a book for fast water aficionados for whom the "center of the universe" is the confluence of the Green and Colorado rivers below, where the rapids begin. Everything else is secondary: Labyrinth and Stillwater Canyons below Green River and "Meander Canyon" (Donald Baars's unfortunate term for the Colorado below Moab-does it meander more than any other river?) are only "the approaches" to Cataract Canyon. Happily, the authors follow their sound geographic instincts rather than their mysterious conceptual scheme and devote an appropriately proportionate attention to those "approaches," which turn out to be much more scientifically and historically diverse and aesthetically appealing than the piece de resistance, Cataract Canyon.

Professional river guides are apparently the book's target audience, and few of them will think of shoving off from the launch ramp without having digested as much of its contents as possible. Their passengers, though, will be unlikely to persevere through the dense and relentless scientific terminology of many of the chapters and lose their interest in which of the extant seven thousand species of mosquitoes the one that just bit them belongs to. Unhappily, too, for readers of this journal, history takes a back seat to science. While there is "A Brief River Running History of Canyonlands," (chapter 2) and there are occasional historical references throughout the rest of the book, the emphases properly belong on "brief" and "river running." Almost as much is omitted as included, and guides will turn to this book in vain for answers to questions about many fascinating inscriptions their passengers will notice along the river. While mining, a non-river-running aspect of the history of the canyons, is discussed, cattle grazing is mostly neglected.

A very great deal of the book's interest and significance lies in its emphasis on "rephotography," in which the camera angle of historic photographs is matched as closely as possible, given different film formats and lens focal lengths, by modern photographs. All outdoors people know that topography changes noticeably from year to year in response to various natural and human forces, but only when his-

torical and modern photographs are juxtaposed as they are here does one realize how dramatic those changes can be. These photographs show immense boulders appearing and disappearing or moving, and the density and nature of streamside vegetation changing drastically (or not-some hardy individual plants appear in photographs widely separated in time). That realization ought to affect the way we write history: we are running a different river from the one our predecessors ran, and our interpretation of their experience ought to be made in the light of the difficulties they faced.

At the end of the canyon where the river water disappears beneath the stillness of Lake Powell, the authors achieve a commendable balance between their own regret over the rapids that have been submerged and the environmental ravages wrought by the reservoir on the one hand, and an appreciation for the pleasures it brings to the power boaters and bass fishermen. Their realistic recommendation is that we enjoy the river we have left and shift our focus, where it is gone, to the magnificent scenery and side canyon hiking available above the level of the reservoir.

GARY TOPPING
Salt Lake Community College

Westwater Lost and Found By Mike Milligan (Logan: Utah State University Press, 2004. xviii + 281 pp. Paper, $21.95.)

WESTWATER CANYON OF THE COLORADO RIVER and Westwater the town lie between the Utah-Colorado border and Moab. If you asked most Utahns, though, where they are located you might get a blank stare or maybe a muttered, "I don't know. Near the Grand Canyon?" It is one of the least known areas of Utah.

Yet to river runners the canyon is legendary. Mention Westwater to a sunburned, kayak-toting river rat, and you will get an immediate and almost visceral response, intoned in awe: "Skull Rapid and the Room of Doom!"

Like many rivers that flow through canyons, Westwater has not been front and center in the Utah's history. Canyons make difficult places for settlement, and Westwater Canyon in particular is just not a place one would find much of anything permanent.

And yet, as Mike Milligan ably narrates in his superbly researched, *Westwater Lost and Found*, Westwater — the town and the canyon — has a significant and exciting history. It is a story that mirrors that of many isolated locales in the West. The town was founded because the railroad, the Denver and Rio Grande, came nearby. The canyon, however, was "discovered" by whitewater enthusiasts who poured into western rivers after World War II when river recreation boomed.

Milligan's book covers all phases of human history along Westwater, beginning with the Paleo-Indians. It focuses mostly, however, on the late nineteenth and twen-

tieth centuries since Euro-American settlement. Indians, Spanish explorers, fur trappers, cattlemen, and gold miners all lived in or came through the area. The first Euro-American settlement, however, was the town of Westwater, at first just a water stop for the Denver and Rio Grande Western Railroad. Not much is left of it now.

The real excitement about the Westwater story, besides some murders between cowboys and outlaws, is the river and the canyon. The first known river runners were Emery Kolb and Bert Loper in 1916. At the time they ran it, they both had significant reputations as river runners. Kolb and his brother, Ellsworth, had just run the entire length of the Green and Colorado rivers in 1911 and 1912. Loper had been on the Green, Colorado, and San Juan rivers since 1883. Their run through, however, did not inspire hordes of people to follow them. The few who did venture down the canyon have been ably researched and described by Milligan.

By the 1950s, however, more and more people around the West were beginning to hear about the great white water boating in Westwater. By the 1970s commercial companies were operating there. The author was one of those early professional guides.

This book is very well researched and competently written. It has very fine illustrations, and there are many of them. The author, however, more or less tells two stories — the town and the canyon — and sometimes they seem to be two very separate entities.

Despite the wealth of illustrations, a good map of the entire area does not show up until page 122. The publisher would have done better by the reader to put it inside the cover for easy reference.

There are a few minor errors in Milligan's book. On the whole, *Westwater Lost and Found* is well told and provides a wealth of information about a little known area of the state. It will appeal to both the river runner who wants to know more about the area where he/she is going to paddle, and the general reader interested in rivers and life in small western towns.

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Transformation of the Mormon Culture Region By Ethan R. Yorgason (Urbana and Chicago: University of Illinois Press, 2003. xii + 261 pp. $32.50.)

WITHIN RECENT YEARS, the geographic literature has been rather silent regarding the Mormon Culture Region. It is, therefore, refreshing, to see Ethan Yorgason's book appear in print. *Transformation of the Mormon Culture Region* is essentially an historical regional geography that focuses on three non-material cultural and social conditions — gender authority, economic responsibility, and loyalty to the American nation.

In the introduction Yorgason argues that "…understanding the Mormon cul-

ture region, its current conservative characteristics, and its place within (while still somewhat apart from) the American West, depends on understanding the struggles over and transformation of the cultural values of the regions' inhabitants since the nineteenth century" (3). He also identifies the conflict between the Mormon and non-Mormon as a "…key element of regional creation and transformation" (4).

In chapter one, "The Region as the Unit of Analysis," Yorgason makes his case for the regional approach and positions his study as one of the growing number of new regional geographies. In the next chapter, "Moderating Feminist Imaginations," the author argues that "In the late nineteenth century and early twentieth, Mormon women won increased authority in society…[but]…by 1920 Mormon culture's norms shifted to conventional patriarchy" (76). During the transformation, LDS womens' radical and outspoken defense of polygamy and their significant role in regional suffrage issues of the 1880s and 1890s, gradually shifted to a more domesticated, household-centered, childrearing role by 1920. Chapter 3, "Privatizing Mormon Communitarianism," contends that "Nineteenth-century Mormons attempted in various ways to establish communitarian economic patterns, but pressure from outside the church and church members' problems in establishing these patterns led the Saints to abandon them by the 1880s and 1890s. Thereafter, Mormons adopted American economic practices and norms" (78). The discussion here is centered on wage labor and self-sufficiency, individualism vs. communitarianism, the Mormon attempts to establish a United Order and live the Law of Consecration, egalitarianism, and Mormon discussions regarding socialism.

In chapter 4, "Re-presenting America," Yorgason explains how Mormons, who were initially perceived to be anti-American, become cultural American nationalists by 1920. The fifth chapter, "A New Type of Home," discusses how Mormons came to the Great Basin in search of a home far from persecution and violence and how, when non-Mormons began to move into the Mormon culture region, "…Mormons began to feel their home was once again under attack…[but]…by 1920, this regional home was transformed in favor of non-Mormons. Home began to feel more like the rest of the United States" (173).

While Yorgason's book does add to our understanding of the Mormon Culture Region, its analyses are rather restricted in that they only deal with the four-decade period between 1880 and 1920. It could be argued, however, as Yorgason no doubt would, that those four decades were crucial in the history of Mormonism, Utah, the Great Basin, and the American West. It was during those four decades that social and cultural changes occurred that transformed nineteenth-century Mormonism into the American denomination it became during the twentieth century. Where the book fails, however, is in its geography. More specifically, there are three components of Yorgason's geographic approach that are problematic.

First, Yorgason does not define the spatial extent of the region to which his analyses are devoted. Yes, he does state that his focus is the Mormon Culture

Region, but nowhere does he define the boundaries of that region as they may have existed between1880 and 1920. Second, because Yorgason does not define the boundaries of the Mormon Culture Region, we really do not know where his analyses are focused. It appears that his analyses are centered on the Wasatch Front from Brigham City to Spanish Fork because on only a few occasions does he refer to places outside of that area. Third, Yorgason makes the assumption that the inhabitants who resided in the Mormon Culture Region acted as one and that the entire region was transformed at the same time and at the same pace. One must ask, did Mormons in southern Idaho, in Nevada, in Arizona, or even in southern Utah, go through the same transformation that occurred along the Wasatch Front? Yorgason's analysis more aptly applies to only those areas where large numbers of non-Mormons entered the culture region-the Wasatch Front.

Despite the book's few shortcomings, *Transformation of the Mormon Culture Region* is well written and the analyses are intriguing and thought provoking. It is a book that I have happily added to my Mormon Culture library.

BROOKS GREEN
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The Politics of American Religious Identity: The Seating of Senator Reed Smoot, Mormon Apostle By Kathleen Flake (Chapel Hill: University of North Carolina Press, 2004. xiii + 238 pp. Cloth, $49.95; paper, $18.95.)

KATHLEEN FLAKE INTRODUCES her new study of the Reed Smoot hearings by informing readers that her focus is on two questions: "How do religious communities change over time and retain a sense of sameness with their originating vision? The other question has to do with the First Amendment as an agent of religious change: What are the political terms by which diverse religions are brought within America's constitutional order? Specifically, given the historically Protestant shape of that order, how do non-Protestant religions obtain the benefits of it, namely, religious freedom?" (1). Flake answers both questions by examining the four-year struggle to unseat Senator Reed Smoot.

In her analysis of the first question Flake focuses on the "inside" of Mormonism and the "unique" characteristics of this American-born church. In particular she argues that the Joseph Smith Story "emerged not only as a source of doctrine but as the modern L.D.S. Church's master narrative." (122). That narrative, according to Flake, "'oriented' members to a possible future, not merely within the present crisis of authority" and it "promised that the Latter-day Saints' felt bond with the sacred would not be broken" (126). It was an "affirmation of unchangeable ecclesiastical authority that has the capacity to mediate divine knowledge and power"(127). This explains how the LDS church was able to abandon the doctrine

of plural marriage, described by some church authorities as essential to salvation, and still retain the sense of sameness with their originating vision. This change in direction was confirmed in 1905 when Joseph F. Smith, and other church leaders, dedicated a monument at Joseph Smith's birthplace on the one-hundredth anniversary of his birth.

Flake examines the second question from a broader perspective. Because of the changes instituted by the church hierarchy, Congress was willing to strike a political compromise with the LDS church. The Smoot hearings provided the "forge" where the deal was struck during "the Progressive Era's broader political understanding of religious liberty" (8). That bargain allowed the LDS church and its members to obtain the benefits of religious freedom in exchange for their obedience to the law, their continued loyalty, and their toleration of other creeds. Thus, the "Senate's vote to retain Smoot marked the beginning of the nation's acceptance of the Latter-day Saints on the same denominational terms as other American religions: obedience, loyalty, and tolerance defined in political, not religious, terms"(157).

Although Flake should be given credit for examining important questions in Mormon history outside the normal "inside" context she could have taken an even broader perspective during her discussion of Mormonism's journey from "cult" status to mainstream respectability. Mormonism is certainly not the first church to have instituted significant changes in its theology. That is the nature of most dynamic institutions. Each of the religions which were born in America during the nineteenth and early twentieth centuries (Mormonism, Seventh-Day Adventists, Jehovah Witnesses, and Christian Scientists) have instituted significant theological innovations and, with the exception of Christian Scientists, they have maintained their flocks, prospered, and now have large world-wide memberships.

Flake may have benefited from the studies of sociologist Bryan Wilson and others concerning the issue of how religions which are initially marginalized eventually obtain full benefits of religious freedom. Mormonism is not the only religious movement which has made that transition. Roman Catholicism was among the "old" religions which were initially marginalized in America, and lacked the benefits of religious freedom. During most of the nineteenth century, Catholics were just as reviled and persecuted as Mormons. Other new religious movements which have become more respectable during the twentieth century include Seventh-Day Adventists, Jehovah's Witnesses, Assemblies of God, and other Pentecostals. Was it necessary for these religious groups to forge political compromises in order to obtain religious liberty? Is the Mormon experience unique?

Although Flake focuses on the Smoot Hearings, the transition of Mormonism from a reviled sect to a respected religion continued long past the turn of the century. Even after the Smoot hearings, the Mormon church was ridiculed in the mainstream secular press and by sectarian communities. In fact, one might argue that World War II played a larger role in "mainstreaming" Mormonism and other marginalized religious movements than the Progressive Era. In the case of

Mormonism the increasing membership of the conservative church combined with the gradual realignment of the power structure of the Republican Party and of Congress with the Mountain West, had a great impact on the image of Mormonism in the United States. In 1952 Dwight Eisenhower chose a Mormon to serve in his cabinet and in 1968 Richard Nixon chose another. During the 1960s a Mormon governor and a congressman were seriously considered in races for president of the United States. As this occurred the LDS church was increasing its economic clout, and attracting more converts throughout the United States. Just as the U.S.Senate began to view Mormonism in a different light after being in close contact with Reed Smoot, citizens of the nation were surely less threatened by a false image of Mormonism after living next door to clean cut and monogamous Mormons.

Flake's discussion of Smoot's influence within the U.S.Senate during his four terms is also very convincing. But her discussion of his influence outside the United States is more dubious. In the summer of 1923, Smoot was sent by his church "on a special mission to lobby several European governments that had banned its missionaries and forbade its members to assemble" (172). While Flake reports on the successful conclusion of Smoot's diplomatic efforts on behalf of his church, she does not discuss other, perhaps more important, reasons for his success, including the Scandinavian countries desire to become closer to the United States in the aftermath of World War I, or the secularization which was occurring in the same countries, which reduced the influence of the mainstream churches on government policy. It would be an exaggeration to argue that even today the LDS church is understood in the same context in other foreign nations as it is in the United States or that it has completely escaped its nineteenth century image. Thus, while Mormonism has outgrown charges of "popery" and the characterization of Mormon apostles as "the fine Italian hand," such charges, and even worse, continue to be lodged against this American church by critics abroad who detest new religious movements in general and American religions in particular(21).

Kathleen Flake's book is an excellent analysis of the Reed Smoot hearings and her thesis is interesting. One must credit Flake for painstakingly reviewing the Smoot hearing transcripts and her clear description of the process by which Senator Smoot retained his senate seat. After the Smoot hearings the American people began to look at the LDS church and its representatives in Congress, in a way that would not have been possible during the nineteenth century. Serious students of Mormon history should read and emulate Flake's placement of Mormon history in a larger context of the American experience. Further studies, which compare and contrast Mormonism's journey to respectability with other new religious movements, should also be written. Such comparisons and analysis will certainly demonstrate that the Mormon experience in America, as well as its problems and successes, are not always unique.

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BOOK NOTICES

Horned Snakes and Axle Grease: A Roadside Guide to the Archaeology, History and Rock Art of Nine Mile Canyon By Jerry D. Spangler and Donna K. Spangler (Salt Lake City: Uinta Publishing, 2004. vi + 190 pp. $16.95.)

Nine Mile Canyon is one of the most impressive concentrations of archaeological and rock art sites in the world. There are an estimated one thousand rock art sites with more than ten thousand images and countless residences, pithouses, granaries, storage sites, towers, lookout stations, and other evidences of prehistoric and historic activity in the canyon. This nicely illustrated book is divided into two major parts: the first seven chapters look at the canyon's environment, early scientific attempts to study the canyon, the Fremont culture, more recent archaeological interpretations of the canyon, hunting and gathering in the canyon, the arrival of Euroamericans, and classifying rock art styles. The second part of the book is a roadside guide to eighty-five sites within the canyon. A narrative description, photograph, driving distance, location, access, and ownership status is provided for each of the sites.

Karl Bodmer's North American Prints Edited by Brandon K. Ruud, Annotations by Marsha V. Gallagher, Essays by Ron Tyler and Brandon K. Ruud, Preface by J. Brooks Joyner. (Omaha: Joslyn Art Museum and Lincoln: The University of Nebraska Press, 2004. xvi + 382 pp. $150.00.)

As a twenty-two year old Swiss artist, Karl Bodmer was employed by the German scientist Prince Maximilian of Wied-Neuwied to accompany his 1832-34 expedition to the interior of North America and create a "faithful and vivid image" of America and its people. After landing in Boston and making their way to the Mississippi River, the party of Europeans journeyed up the Missouri River from St. Louis to Fort McKenzie near the Great Falls in Montana. The paintings by Karl Bodmer played an important role in shaping European views of Native Americans and the American West. This beautifully illustrated over-size book reproduces the eighty-one images painted by Bodmer and stands as a companion volume to an earlier 1984 publication entitled *Karl Bodmer's America*.

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